



CITY OF TOLLESON

9055 W. Van Buren St. • Tolleson, AZ 85353 • Direct: (623) 936-7111 • Fax: (623) 936-7117 • TTY users, dial 711

TOLLESON CITY COUNCIL MEETING AGENDA

TOLLESON CIVIC CENTER

9055 WEST VAN BUREN STREET, TOLLESON, AZ 85353

ZOOM WEBINAR ID: 879 5953 3361

TUESDAY, JUNE 27, 2023

6:00 P.M.

Members of the public may also participate in the meeting via Zoom Webinar with a computer or cell phone by visiting the following direct link: <https://us02web.zoom.us/j/87959533361>.

Prerequisites for attending Zoom Webinars (one required):

1. Zoom Desktop Client: In your internet browser, enter <https://zoom.us/>. At the top-right of the page, click Resources and then click Download Center. Under Zoom Desktop Client, click the Download button.
 - a. Open the Zoom desktop client and sign in
 - b. Click the Home tab and then Join
 - c. Enter Meeting ID: 879 5953 3361 and enter your full name
 - d. Connect audio and/or video and select Join
2. Zoom Mobile App with Cell Phone or Tablet: Download the Zoom – One Platform to Connect App in either the App Store for iOS or Google Play for Android.
 - a. Select Join Meeting
 - b. Enter Meeting ID: 879 5953 3361
 - c. Enter your full name and select Join
 - d. Enter your screen name and email address and select Continue
 - e. Join Audio with Wi-Fi or Cellular Data
3. Web client/browser: Google Chrome, Internet Explorer, Firefox and Safari on a computer.
 - a. Go to <https://zoom.us/join>
 - b. Enter Meeting ID: 879 5953 3361
 - c. Click Open Zoom Meetings or Join (depending on browser)
 - d. Enter your full name and click Join Audio by Computer

Alternate Option via Telephone with Audio Only:

- a. Dial 1-253-215-8782
- b. Enter Meeting ID: 879 5953 3361 and press #
- c. Enter Participate ID and press #, or press # to continue



For technical support or questions in accessing the meeting, please email the Information Technology Department at ITsupport@tolleson.az.gov or call Zoom Support at (888) 799-9666.

Doors open to Council Chambers at 5:45 P.M. for public seating. The public may be asked to temporarily relocate if an executive session occurs. The public will be invited back into Council Chambers when the Council returns from executive session.

CALL TO ORDER

INVOCATION/PLEDGE OF ALLEGIANCE

ROLL CALL

FINAL CALL TO SUBMIT SPEAKER REQUESTS

All citizens and interested parties wishing to speak before the Council regarding agenda items, non-agenda items or during a public hearing shall participate via Zoom Video Conference. Click the chat button, and enter your name and the item you would like to address. Submissions should be made no later than the Mayor announcing the “Final Call to Submit Speaker Requests”. **All speakers will be limited to three (3) minutes unless otherwise noted by the Mayor.** Speakers are not required to disclose their identities or personal information. You may also submit your comments to cityclerk@tolleson.az.gov at least one hour prior to the meeting.

CALL TO THE PUBLIC (NON-AGENDA ITEMS)

This is the time for the public to comment on non-agenda items. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01.H, action taken as a result of public comment will be limited to (1) responding to criticism; (2) directing staff to review the matter; or (3) asking that a matter be put on a future agenda.

SCHEDULED PUBLIC APPEARANCES AND PROCLAMATIONS

1. Introduction of New Employees:

Development Services Department – Brett Harris, Chief Building Official and Sean Hughes, Building Inspector

Field Operations Department – William Campos, Streets Maintenance Worker, Dimitri Lopez, Maintenance Worker, Daniel Lozano, Grounds Maintenance and Naomi Delos-Santos, Maintenance Worker

Fire Department – Garrett Roberts, Fire Chief, Francisco Reyes Gonzalez, Firefighter and Martin Jimenez, Firefighter

Human Services Department – Pamela Earl, Assistant Cook

Police Department – Clare Atchley, Police Officer, Adriana Garza, Police Dispatcher, Evelyn Tafoya, Property & Evidence Custodian and Adam Villa, Public Safety Dispatcher

Utilities Department – Bryan Hicks, Utilities Safety Coordinator, Tyrus Johnson, Semi-Truck Driver/Wastewater Operator, Kevin Larson, Wastewater Superintendent, Stephen McAnerney, Utilities Mechanic, and Daniel Robb, Wastewater Operator

BUSINESS FROM THE FLOOR - PUBLIC HEARINGS AND ACTION ITEMS

1. Public Hearing – Soliciting comments from interested parties in reference to Site Plan Application #23050001 as submitted by Mark Beck with Beck Consulting Engineers, Inc., on behalf of owner, Tolleson 70, LLC, for a semi-truck dealership and service center to be located at the southwest corner of 91st Avenue and Latham Street in Tolleson, AZ. The site, comprised of a portion of APN 102-53-361, is approximately 12 acres and zoned Planned Area Development (PAD). (Vanguard Trucking Center)

This public hearing was continued from the City Council Meeting held on June 13, 2023.

Council Action: Approve/Deny Site Plan Application #23050001.

(Twelve recommended stipulations – Development Services Department)

2. Public Hearing – Soliciting comments from interested parties in reference to Site Plan Application #23040001 as submitted by Tom Beck with Frank Civil Consulting, on behalf of the owner, Velocity Vehicle Group c/o Jason Shearer, for a new parking facility and future 8,000 square ft. recreational vehicle maintenance building to be located at the southeast corner of 99th Avenue and Roosevelt Street in Tolleson, AZ. The site, comprised of APNs 102-53-328, 102-53-329, 102-53-333 and 102-53-335, is approximately 33 acres and zoned General Commercial (C-2). (Velocity Trucking Parking Expansion)

This public hearing was continued from the City Council Meeting held on June 13, 2023.

Council Action: Approve/Deny Site Plan Application #23040001.

(Nine recommended stipulations – Development Services Department)

CONSENT AGENDA – ACTION ITEMS

Items on the Consent Agenda are of a routine nature and are intended to be acted upon in one motion. Council Members may pull items from Consent if they would like them considered separately.

- a. Approve Regular City Council Meeting Minutes of June 13, 2023. (City Clerk Department)
- b. Approve Claims and Bills Report for the period of June 7, 2023 to June 20, 2023. (Finance Department)
- c. Approve Cost of Living Adjustment (COLA) for the contracted positions of City Magistrate and City Manager up to 3% for Fiscal Year 2024 to align with the same increase requested for City of Tolleson employees. (Employee Resources Department)

- d. Adopt Resolution No. 2537 of the Mayor and Council of the City of Tolleson, Arizona, designating the Chief Fiscal Officer for officially submitting the Fiscal Year 2024 Expenditure Limitation Report to the Arizona Auditor General. Mayor and Council desire to designate Chief Financial Officer Kevin Artz as the Chief Fiscal Officer. (Finance Department)
- e. Adopt Resolution No. 2538 of the Mayor and Council of the City of Tolleson, Arizona, approving the Intergovernmental Agreement between City of Tolleson and Tolleson Union High School District No. 214 relating to services of School Resource Officers (SRO), and authorize the City Manager to execute and deliver said Agreement. The term of this Agreement shall be from July 27, 2023 until the end of the school year on May 24, 2024, and tentatively for one month in June 2024 for summer school. The District shall reimburse the City for up to \$132,400 of the Tolleson Union High School SRO costs and up to \$132,400 of the University High School SRO costs incurred during the 2024 Fiscal Year. (Police Department)
- f. Approve Replat Application #23050003 as submitted by Bruce Heyse, on behalf of the owner, Tony Francis with Francis and Sons Express, for a replat located at the southeast corner of 99th Avenue and Van Buren Street in Tolleson, AZ to make accommodation for a new drive-thru retailer. The site, comprised of APNs 101-04-983, 101-04-975, and 101-04-977, is approximately 169,263 sq. ft. and zoned General Commercial (C-2). (El Paseo 99) (Development Services Department)
- g. In accordance with A.R.S. § 9-500.11.K, adopt Notice of Intent to enter to into an Economic Incentive Development Agreement by and between the City of Tolleson and Vanguard Truck Holdings, LLC. (Development Services Department)

REGULAR AGENDA – ACTION ITEMS

1. Adopt/Deny Resolution No. 2531 of the Mayor and Council of the City of Tolleson, Arizona, levying upon the assessed valuation of property within the City of Tolleson, subject to taxation, a certain sum to provide funds for general municipal expenses, all for the Fiscal Year ending June 30, 2024. The City estimates the primary property tax rate to be 1.5724 and the secondary tax rate to be 1.1072 per one hundred dollars (\$100.00) of assessed value of all taxable property. (Finance Department)

WORK STUDY AND PRESENTATIONS – FOR DISCUSSION

1. COVID-19 Update – George Good, Chief Preparedness Officer

MAYOR AND CITY MANAGER’S REPORT OF CURRENT EVENTS

1. Community Events Update – John Paul Lopez, Parks & Recreation Director
 - Independence Day Celebration on July 4th at 4 P.M. at Tolleson Veterans Park
 - Tolleson Golf Tournament Update

ADJOURNMENT

Pursuant to A.R.S. § 38-431.01 and A.R.S. § 38-431.02, notice is hereby given to the members of the Tolleson City Council and to the general public that the Council of the City of Tolleson will hold a meeting open to the public. Council Members of the City of Tolleson will attend by telephone/video conference call.

Note: The City Council of the City of Tolleson, by a duly passed motion, may vote in public session to adjourn to executive session on any agenda item in conformation with A.R.S. § 38.431.03 for legal advice from the City Attorney.

Zoom's live transcription feature can provide automatic captioning by clicking on the Closed Caption (CC) button during the meeting.

THE CITY OF TOLLESON ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES. With at least two business days advance notice, accommodations can be provided at this meeting for individuals with vision, hearing and/or speech disabilities, including a transcriber, large print, an interpreter, an assistive listening device, etc. Please call the City Clerk at (623) 936-7111, or TTY users may dial 711 for Arizona Relay Service (AZRS), to request an accommodation to participate in this public meeting. The City will try its best to accommodate any last minute requests.

LA CIUDAD DE TOLLESON SE ESFUERZA PARA HACER TODAS LAS REUNIONES PÚBLICAS ACCESIBLE PARA INDIVIDUOS CON DISCAPACIDADES. Con al menos dos días laborables de previo aviso, se pueden proporcionar adaptaciones en esta reunión para personas con discapacidades visuales, auditivas o del habla, incluido un transcriptor, letra grande, un intérprete, un dispositivo de asistencia auditiva, etc. Llame a la Secretaría Municipal al (623) 936-7111, o los usuarios de TTY pueden marcar 711 para el Servicio de Retransmisión de Arizona (AZRS), para solicitar un alojamiento para participar en esta reunión pública. La Ciudad hará todo lo posible para satisfacer cualquier solicitud de último minuto.

Posted on June 22, 2023



CITY COUNCIL REPORT

| | | |
|--|---|--|
| <p>Meeting Date: June 27, 2023</p> <p>Action Item: 1.</p> <p><input type="checkbox"/> Consent <input type="checkbox"/> Work Study <input type="checkbox"/> Regular <input type="checkbox"/> E-Session <input checked="" type="checkbox"/> Business from the Floor</p> | <p>Type of Action:</p> <p><input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Other</p> <p>Site Plan</p> | <p>Subject:</p> <p>Approve/Deny Site Plan Application #23050001 for a semi-truck dealership and service center to be located at the southwest corner of 91st Avenue and Latham Street in Tolleson, AZ.</p> |
| <p>Budget Impact:</p> <p>Expense <input type="checkbox"/> Revenue <input type="checkbox"/></p> <p>\$</p> <p>Budgeted <input type="checkbox"/> Contingency <input type="checkbox"/> Grant <input type="checkbox"/> Other <input checked="" type="checkbox"/></p> | <p>Department: Development Services</p> <p>Action Recommended by: Jason Earp, Director</p> | |
| <p>Reviewed by Reyes Medrano Jr., City Manager <input checked="" type="checkbox"/></p> <p>Purpose: Consideration of Site Plan Application #23050001 as submitted by Mark Beck with Beck Consulting Engineers, Inc., on behalf of owner, Tolleson 70, LLC, for a semi-truck dealership and service center to be located at the southwest corner of 91st Avenue and Latham Street in Tolleson, AZ.</p> <p>Background/Discussion: A Site Plan Application was submitted on behalf of the owner Tolleson 70 for a Vanguard Semi-Truck Dealership and Service Center. The public hearing notice has been published in the Arizona Republic on May 26, 2023. A mailing notice was sent to property owners within 300 feet of the property at least 15 days prior the public hearing. This public hearing was continued from the City Council Meeting held on June 13, 2023. The site, comprised of a portion of APN 102-53-361, is approximately 12 acres and zoned Planned Area Development (PAD).</p> <p>Please refer to City Engineer Hamilton's 12 recommended stipulations for site plan approval of this project, as well as the applicant's submittal for further information on this proposal.</p> | | |



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MEMORANDUM

To: Mayor and Council
CC: Reyes Medrano, City Manager
Date: 6/20/2022
From: Chris Hamilton, City Engineer
Subject: Site Plan Approval Stipulations – Vanguard

Following are my recommended stipulations for site plan approval for this project:

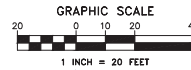
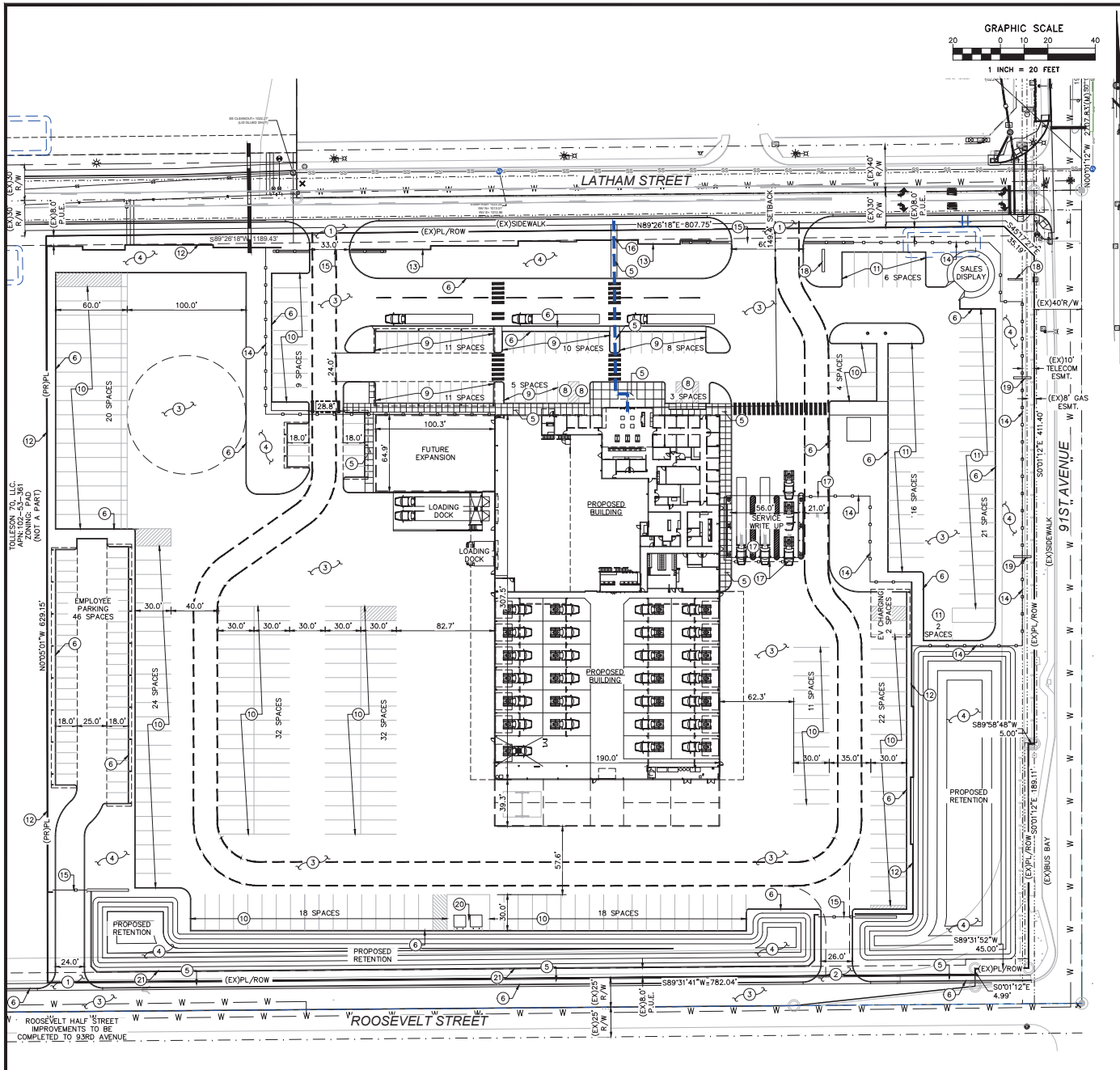
1. The Developer shall provide final site improvement plans, inclusive of grading/drainage/paving, parking lot lighting, utility, perimeter screening and landscaping plans, to the satisfaction of the City Engineer, prior to the issuance of the first building permit. The Developer shall also provide a current geotechnical report to include recommendations for site preparation, for on and off site pavement design and building design parameters.
2. The Developer shall provide a final drainage report for City review and approval prior to the issuance of the first building permit. Stormwater runoff for the 100-year, 6-hour rainfall from the site and from the half-street frontage on all abutting streets shall be stored on-site. Retention basin design shall conform to City requirements. On-site storm drains may be sized for the 10-year peak runoff as long as an overland flow route is provided for the 100-year peak flow to reach the retention basin(s).
3. Sufficient drywells shall be provided to dry up the retention basin(s) within 36 hours; all drywells shall be Maxwell Plus type as manufactured by Torrent Resources Company or approved equal.
4. The Developer shall provide final off-site improvement plans, inclusive of public street construction for the widening of Roosevelt Street, sidewalk, street lighting, signage and striping, landscaping and irrigation all to the satisfaction of the City Engineer. Pavement section shall comply with the recommendations of the geotechnical report or shall match the existing section, but shall not be less than 3 inches of asphalt on 8 inches of aggregate base course material. This should also include the undergrounding and relocation of the private irrigation ditch along the north side of Roosevelt St. Should any portion of said improvements not be completed prior to issuance of the first building permit, said improvements shall be assured via a surety in an amount and form acceptable to the City.
5. Building sprinkler systems, where required, and any on-site private fire lines shall be designed and installed to the satisfaction of the City Engineer and Fire Department; fire hydrants shall be spaced



at not greater than 300 foot intervals in accordance with IFC 2018, Appendix C.

6. All on-site water lines, fire lines, and sanitary sewer lines shall be privately owned and maintained. All connections to the public water system shall be protected with backflow devices installed to City standards; water meters shall be located within public rights-of-way. Backflow devices shall be painted to match the building color.
7. All access gates shall comply with City Fire Department requirements and secondary access gates shall be equipped with "Knox" locks conforming to City Fire Department requirements. Vehicular gates shall be equipped with Tomar automatic opening devices and Knox key switches per City Fire Department requirements.
8. The Developer shall prepare and submit, for approval by the City Engineer, a maintenance plan for the long term operation and maintenance of the underground retention facilities that are being proposed by the developer. The maintenance plan shall be consistent with the criteria provided by the City as part of the site plan review/approval process and shall provide for annual inspections and condition assessment reports to the City's Building Department.
9. Perimeter screen walls shall be constructed in conformance with the City Zoning Code (chain link fencing is not allowed); all parking areas shall be screened from street view by a minimum three-foot-high berm or wall as measured from the highest finished grade of the adjoining parking area.
10. Driveway approaches shall conform to a modified City of Phoenix Standard Detail No. P1243 with return radii equal to 25 feet or more to the extent possible, and concrete to be class A, 10-inch thickness with fiber mesh; public sidewalk easements shall be dedicated as required to facilitate specific driveway approaches as specified herein.
11. The Developer shall prepare a minor land division or lot split to create the proposed parcels. Said plat shall dedicate any required public right-of-ways and public facility easements and be approved and recorded prior to issuance of a final occupancy permit for the first building.
12. Remove and replace all broken or cracked curb and gutter, sidewalk, asphalt pavement, and signing and striping along the Roosevelt Street frontage.





REFERENCE CODES

2018 INTERNATIONAL BUILDING CODE (IBC)
 2018 INTERNATIONAL MECHANICAL CODE (IMC)
 2018 INTERNATIONAL PLUMBING CODE (IPC)
 2018 INTERNATIONAL ENERGY CODE (IEC)
 2018 INTERNATIONAL FIRE CODE (IFC)
 2017 NATIONAL ELECTRIC CODE (NEC)
 AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADA)
 MARICOPA ASSOCIATION OF GOVERNMENTS (MAG)
 SPECIFICATIONS AND DETAILS
 ARIZONA ADMINISTRATIVE CODE TITLE 18, CH. 9,
 DATED SEPT. 30, 2005.
 CITY OF AVONDALE GENERAL ENGINEERING
 REQUIREMENTS MANUAL, 2018.
 AEOE ENGINEERING BULLETIN NO. 11, JULY 1978

LOCATION MAP

SECTION: 4
 TOWNSHIP: 1N
 RANGE: 1E
 TOLLESON, AZ
 NTS

PROJECT TEAM

OWNER:
TOLLESON 70, LLC
 3131 EAST CAMELBACK RD. SUITE 310
 PHOENIX, AZ 85016
 CONTACT: THOMAS TAIT, SR.
 PH: (602) 279-3999

CIVIL ENGINEER:
BECK CONSULTING ENGINEERS, INC.
 2942 NORTH 24TH STREET, SUITE 114
 PHOENIX, AZ 85016
 CONTACT: MARK BECK, P.E.
 PH: (602) 502-8499

DEVELOPER:
VANGUARD TRUCK CENTERS
 2402 SOUTH 19TH AVE.
 PHOENIX, AZ 85009
 CONTACT: RYAN LARSEN
 PH: (602) 258-5905
 RYAN.LARSEN@VANGUARDTRUCKS.COM

ARCHITECT:
FITZGERALD + ASSOCIATES ARCHITECTS, INC.
 3900 NORTH SANTA FE AVE.
 OKLAHOMA CITY, OK 73118
 CONTACT: PHIL FITZGERALD, AIA
 PH: (415) 521-8999

SITE & BUILDING DATA

| | | | |
|---------------------------|----------------------------|---|----------|
| Existing Zoning: | PAD | Setbacks: | Required |
| APN: | PORTION OF 102-53-361 | 91st Avenue: | 30 feet |
| Lot # / Plat: | LOT 3 "TOLLESON LOGISTICS" | Roosevelt Street: | 30 feet |
| Gross / Net Site Area: | 522,720 S.F. (12.0 AC.) | Latham Street: | 20 feet |
| Building Area: | | Side: | 0 feet |
| Building (Phase 1): | 58,699 S.F. | Benchmark: | |
| Mezzanine: | 7,853 S.F. | Site Benchmark PK Nail No Tag at Intersection of 91st Avenue and Latham Street. | |
| Expansion (Phase 2): | 6,500 S.F. | Elevation = 1022.76 Feet (NAVD86) | |
| Building Lot Coverage: | 12.5% | | |
| Building Height Provided: | 33' (to top of parapet) | | |
| Construction Type | II-B | | |

| | | |
|------------------------------------|-----------------|-----------------|
| Parking: | Spaces Required | Spaces Provided |
| Office (12,974 S.F. @ 1:300 S.F.): | 43 | |
| Outdoor Sales Area (30,000 S.F.): | 4 | |
| 80 Employees @ 1 per 3 employees: | 27 | |
| Total Parking: | 74 | 105 |
| Accessible Parking: | 5 | 5 |

FEMA Flood Zone:
 Per FEMA Flood Insurance Rate Map 04013C2160M, effective date September 18, 2020, site lies within Zone "X", areas of 0.2% annual chance flood; areas of less than 1 foot or with drainage area less than 1 square mile.

KEY NOTES

1. DRIVE CONNECTION TO EXISTING ROADWAY.
2. GATED EMERGENCY ACCESS DRIVE CONNECTION TO EXISTING ROADWAY WITH KNOX LOCK.
3. ASPHALT PAVEMENT.
4. LANDSCAPE AREA.
5. CONCRETE SIDEWALK.
6. CONCRETE CURB / CURB AND GUTTER.
7. MONUMENT SIGN.
8. ACCESSIBLE PARKING.
9. AUTO PARKING.
10. TRUCK PARKING.
11. TRUCK SALES DISPLAY.
12. 6" CMU WALL PER DTL. 4/SP.2.
13. CMU SCREEN WALL WITH WROUGHT IRON FENCE PER DTL. 5/SP.2.
14. 6" WROUGHT IRON FENCE PER DTL. 6/SP.2.
15. GATE WITH KNOX LOCK/KNOX BOX PER TOLLESON FIRE.
16. PEDESTRIAN GATE.
17. SWING ARM ACCESS GATE.
18. MONUMENT SIGN.
19. PYLON SIGN.
20. TRASH ENCLOSURE.
21. 8" CMU WALL PER DTL. 7/SP.2.

SHEET INDEX

| | |
|------|--------------|
| SP.1 | SITE PLAN |
| SP.2 | SITE DETAILS |

LEGEND

- ACCESSIBLE PATH TO R/W
- PR. BACKFLOW PREVENTER
- FDC
- PR. FIRE HYDRANT
- EASEMENT LINE
- PROPERTY LINE
- RIGHT OF WAY LINE

PLAN REVISIONS

| NO. | DATE | DESCRIPTION |
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NOTES

1. SEE SHEET SP.1 FOR SITE PLAN.
2. SEE SHEET SP.2 FOR SITE DETAILS.
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PROJECT NO.
229001

SP.1 of 2

DATE: 04-03-23

SITE PLAN
VANGUARD TRUCK CENTER
SWC OF LATHAM STREET AND 91ST AVE.
TOLLESON, ARIZONA

| DATE | DESCRIPTION |
|------|-------------|
| | |
| | |
| | |
| | |
| | |

STAMP:

FITZGERALD ASSOCIATES
architects & design consultants

COPYRIGHT © 2023 FITZGERALD ASSOCIATES
ARCHITECTS
ALL RIGHTS RESERVED

LOCATION:
VANGUARD TRUCK CENTER
3348 PEACHTREE ROAD NE SUITE 1450
ATLANTA, GA 30326

vanguard
TRUCK CENTER
TOLLESON, GA

OWNER:
VANGUARD TRUCK CENTER
3348 PEACHTREE ROAD NE SUITE 1450
ATLANTA, GA 30326

JOB NO.:

3269

DRAWN BY:

B.F.G.

CHECKED BY:

SHEET TITLE:

EXTERIOR ELEVATIONS

DATE:

20 MARCH 2023

SHEET NO.:

A200

DATE:

20 MARCH 2023

SHEET NO.:

A200

DATE:

20 MARCH 2023

SHEET NO.:

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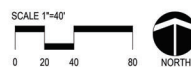
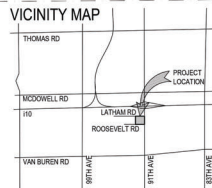
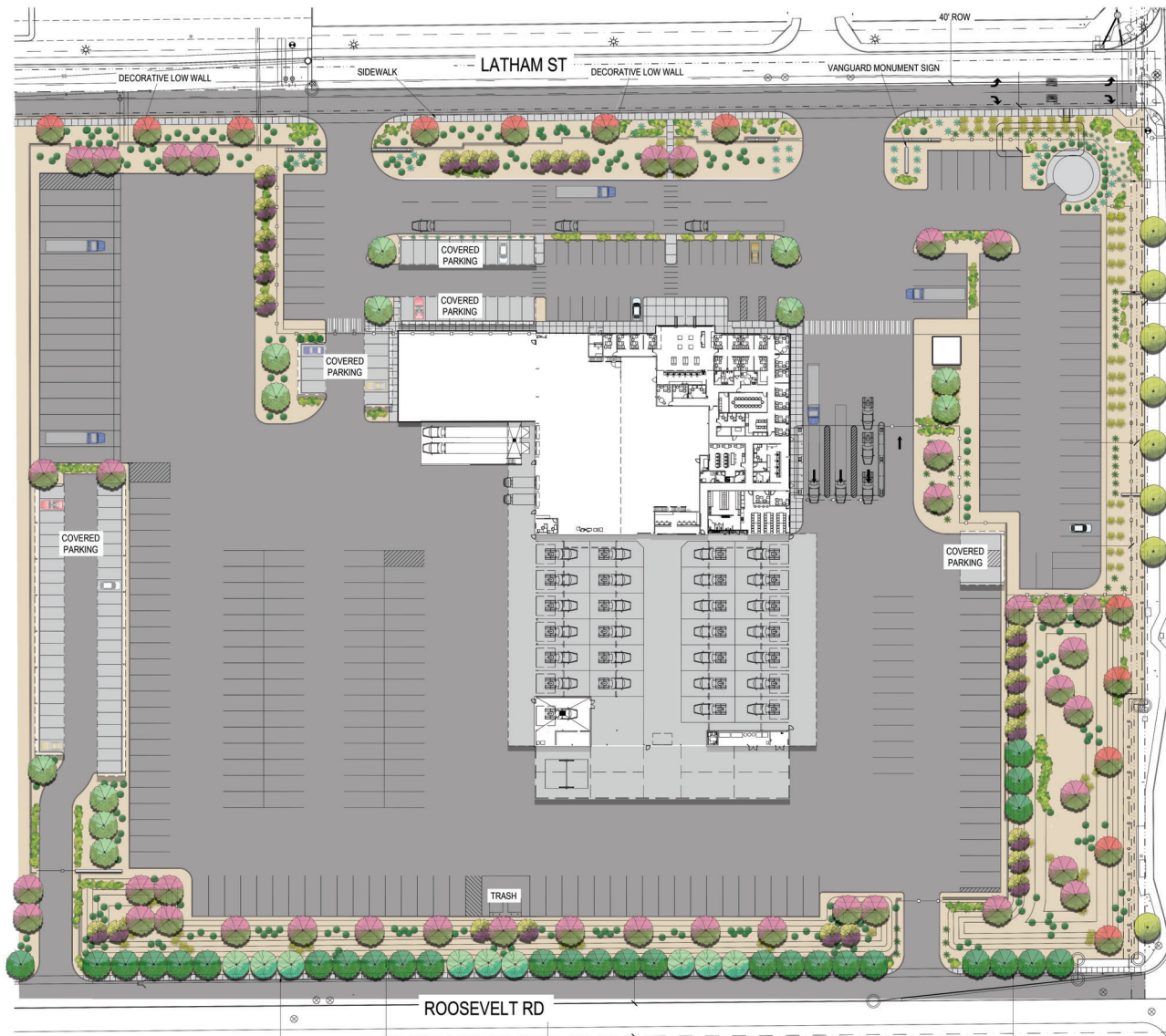
20 MARCH 2023

SHEET NO.:

A200

DATE:

20 MARCH 2023



Call at least two full working days before you begin excavation.
ARIZONA 811
 Arizona One Stop, Inc.
 Dial 8-1-1 or 1-800-STAKE-11 (782-5348)
 In Maricopa County: (602) 263-1100

PLANT MATERIAL SCHEDULE

| SYMBOL | BOTANICAL NAME | SIZE | QTY | COMMENTS |
|----------------------------|---------------------------------------|----------|------------|----------|
| TREES: | COMMON NAME | | | |
| | Existing Tree to Remain | | 8 | |
| | Chitalpa tashkentensis | 15 gal | 23 | STANDARD |
| | Chitalpa | 24" box | 16 | |
| | Olea europaea 'Swan Hill' | 24" box | 12 | STANDARD |
| | Swan Hill Olive | | | |
| | Corymbia papuana | 24" box | 9 | STANDARD |
| | Ghost Gum Eucalyptus | | | |
| | Pistacia chinensis 'Red Push' | 24" box | 12 | STANDARD |
| | Red Push Pistache | | | |
| | Ulmus parvifolia | 24" box | 28 | STANDARD |
| | Evergreen Elm | | | |
| ACCENT TREES | | | | |
| | Sophora secundiflora 'Silver Peko' * | 15 gal | 25 | STANDARD |
| | Texas Mountain Laurel 'Silver Peko' | | | |
| ACCENTS, GRASSES AND CACTI | | | | |
| | Agave Americana 'Marginata' | 5 gallon | 32 | |
| | Variegated American Century Plant | | | |
| | Hesperaloe funifera | 5 gallon | 37 | |
| | Giant Hesperaloe | | | |
| | Euphorbia tirucalli 'Fire Sticks' | 5 gallon | 8 | |
| | Fire Sticks | | | |
| | Dasylirion wheeleri | 5 gallon | 44 | |
| | Desert Spoon | | | |
| | Hesperaloe parviflora | 5 gallon | 53 | |
| | Red Yucca | | | |
| | Muhlenbergia capillaris 'Regal Mist' | 5 gallon | 95 | |
| | Regal Mist | | | |
| | Aloe Barbendensis | 5 gallon | 32 | |
| | Aloe - Yellow Bloom | | | |
| | Asclepias tuberosa | 5 gallon | 8 | |
| | Desert Milkweed | | | |
| SHRUBS | | | | |
| | Calliandra californica | 5 gallon | 14 | |
| | Red Fairy Duster | | | |
| | Sesuvium portulacastrum | 5 gallon | 31 | |
| | Green Cassia | | | |
| | Dodonaea viscosa | 5 gallon | 46 | |
| | Hop Bush | | | |
| | Caesalpinia pulcherrima | 5 gallon | 22 | |
| | Red Bird of Paradise | | | |
| | Bougainvillea sp 'Torch Glow' | 5 gallon | 20 | |
| | Torch Glow Bougainvillea | | | |
| | Leucophyllum frutescens 'Green Cloud' | 5 gallon | 15 | |
| | Green Cloud Texas Sage | | | |
| | Leucophyllum candidum 'Silver Cloud' | 5 gallon | 17 | |
| | Silver Cloud Sage | | | |
| | Nerium Oleander 'Pettie Red' | 5 gallon | 59 | |
| | Pettie Red Oleander | | | |
| | Tecoma stans 'Yellow Bells' | 5 gallon | 78 | |
| | Yellow Bells Tecoma | | | |
| GROUNDCOVERS: | | | | |
| | Lantana 'New Gold' * | 1 gallon | 74 | |
| | New Gold Lantana | | | |
| | Lantana 'Trailing Purple' | 1 gallon | 46 | |
| | Purple Lantana | | | |
| | Callistemon viminalis 'Little John' * | 1 gallon | 24 | |
| | Little John Brittle Bush | | | |
| ROCK MULCH: | | | | |
| | DG | | | |
| | 1/2" Screened, Camel by RockProUSA | | 134,778 sf | |
| | 2" Deep in all Landscape Areas | | | |

DPA
 studio
 Planning and Landscape Architecture
 P.O. Box 3489 - Gilbert, AZ 85299
 480.577.5818 602.588.6806
 www.studiopla.com



DATE:
 06.15.23

PRELIMINARY LANDSCAPE PLAN
VANGUARD TRUCK CENTER
 PREPARED FOR: WARE MALCOMB
 91ST AVE & LATHAM TOLLESON, AZ 85353

| DATE: | REVISION: |
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PRELIMINARY
 LANDSCAPE

SHEET 01 OF 01
 L-1

NOTICE OF PUBLIC HEARING

CITY OF TOLLESON

NOTICE IS HEREBY GIVEN that the City of Tolleson Mayor and Council will conduct a **PUBLIC HEARING** during a Regular City Council Meeting scheduled on **TUESDAY, JUNE 13, 2023** beginning at **6:00 P.M.** in the Council Chambers at the Tolleson Civic Center, 9055 West Van Buren Street, Tolleson, Arizona 85353, and via Zoom Webinar at <https://us02web.zoom.us/j/87392875204> or via telephone at 1-253-215-8782 (Meeting ID: 873 9287 5204), for the purpose of:

Soliciting comments from interested parties in reference to Site Plan Application #23050001 as submitted by Mark Beck with Beck Consulting Engineers, Inc., on behalf of owner, Tolleson 70, LLC, for a semi-truck dealership and service center to be located at the southwest corner of 91st Avenue and Latham Street in Tolleson, AZ. The site, comprised of a portion of APN 102-53-361, is approximately 12 acres and zoned Planned Area Development (PAD). (Vanguard Trucking Center)

Published in the Arizona Republic on Friday, May 26, 2023.



CITY OF TOLLESON

BUILDING AND CODE ENFORCEMENT

9055 W. VAN BUREN STREET, TOLLESON, AZ. 85353

Phone 623-936-7111, TDD 623-936-2792, Fax 623-936-7117

www.tolleson.az.gov

Affidavit of Postings

On May 23, 2023, I, Ken Hernandez certify that the following (Property)(Properties) were posted as per ARS 9-462.04.

NOTICE OF PUBLIC HEARING

CITY OF TOLLESON

NOTICE IS HEREBY GIVEN that the City of Tolleson Mayor and Council will conduct a **PUBLIC HEARING** during a Regular City Council Meeting scheduled on **TUESDAY, JUNE 13, 2023** beginning at **6:00 P.M.** in the Council Chambers at the Tolleson Civic Center, 9055 West Van Buren Street, Tolleson, Arizona 85353, and via Zoom Webinar at <https://us02web.zoom.us/j/87392875204> or via telephone at 1-253-215-8782 (Meeting ID: 873 9287 5204), for the purpose of:

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Published in the Arizona Republic on Friday, May 26, 2023.

KHERNANDEZ

Signature





THE CITY OF TOLLESON
WILL CONDUCT A PUBLIC HEARING REGARDING

PUBLIC NOTICE

PUBLIC NOTICE

AT TOLLESON CITY HALL • 9355 W. VAN BUREN • TOLLESON, AZ 85389



THE CITY OF TOLLESON

WILL CONDUCT A PUBLIC HEARING REGARDING

NOTICE OF PUBLIC HEARING

CITY OF TOLLESON

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Soliciting comments from interested parties in reference to Site Plan Application #23050001 as submitted by Mark Beck with Beck Consulting Engineers, Inc., on behalf of owner, Tolleson 70, LLC, for a semi-truck dealership and service center to be located at the southwest corner of

91st Avenue and Latham Street in Tolleson, AZ. The site, comprised of a portion of APN 102-53-361, is approximately 12 acres and zoned Planned Area Development (PAD). (Vanguard Trucking Center)

Published in the
Arizona Republic on Friday, May 26, 2023.

AT TOLLESON CITY HALL • 9555 W. VAN BUREN STREET
PUBLIC NOTICE **PUBLIC NOTICE**



CITY COUNCIL REPORT

| | | |
|--|---|---|
| <p>Meeting Date: June 27, 2023</p> <p>Action Item: 2.</p> <p><input type="checkbox"/> Consent <input type="checkbox"/> Work Study <input type="checkbox"/> Regular <input type="checkbox"/> E-Session <input checked="" type="checkbox"/> Business from the Floor</p> | <p>Type of Action:</p> <p><input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Other</p> <p>Site Plan</p> | <p>Subject:</p> <p>Approve/Deny Site Plan Application #23040001 for a new parking facility and future 8,000 square ft. recreational vehicle maintenance building to be located at the SEC of 99th Ave. and Roosevelt St. in Tolleson, AZ.</p> |
| <p>Budget Impact:</p> <p>Expense <input type="checkbox"/> Revenue <input type="checkbox"/></p> <p>\$</p> <p>Budgeted <input type="checkbox"/> Contingency <input type="checkbox"/> Grant <input type="checkbox"/> Other <input checked="" type="checkbox"/></p> | <p>Department: Development Services</p> <p>Action Recommended by: Jason Earp, Director</p> | |
| <p>Reviewed by Reyes Medrano Jr., City Manager <input checked="" type="checkbox"/></p> <p>Purpose: Consideration of Site Plan Application #23040001 as submitted by Tom Beck with Frank Civil Consulting, on behalf of the owner, Velocity Vehicle Group c/o Jason Shearer, for a new parking facility and future 8,000 square ft. recreational vehicle maintenance building to be located at the southeast corner of 99th Avenue and Roosevelt Street in Tolleson, AZ.</p> <p>Background/Discussion: A Site Plan Application was submitted on behalf of the owner Tolleson 70 for a Vanguard Semi-Truck Dealership and Service Center. The public hearing notice has been published in the Arizona Republic on May 26, 2023. A mailing notice was sent to property owners within 300 feet of the property at least 15 days prior the public hearing. This public hearing was continued from the City Council Meeting held on June 13, 2023. The site, comprised of APNs 102-53-328, 102-53-329, 102-53-333 and 102-53-335, is approximately 33 acres and zoned General Commercial (C-2).</p> <p>Please refer to City Engineer Hamilton's nine recommended stipulations for site plan approval of this project, as well as the applicant's submittal for further information on this proposal.</p> | | |



CITY OF TOLLESON

9055 W. Van Buren St. • Tolleson, AZ 85353 • Direct: (623) 936-7111 • Fax: (623) 936-7117 • TTY users, dial 711 for Relay

MEMORANDUM

To: Mayor and Council
CC: Reyes Medrano, City Manager
Date: 6/08/2023
From: Chris Hamilton, City Engineer
Subject: Site Plan Approval Stipulations – Velocity

Following are my recommended stipulations for site plan approval for this project:

1. The Developer shall provide final site improvement plans, inclusive of grading/drainage/paving, parking lot lighting, utility, perimeter screening and landscaping plans, to the satisfaction of the City Engineer, prior to the issuance of the first building permit. The Developer shall also provide a current geotechnical report to include recommendations for site preparation, for on and off site pavement design and building design parameters.
2. The Developer shall provide a final drainage report for City review and approval prior to the issuance of the first building permit. Stormwater runoff for the 100-year, 6-hour rainfall from the site and from the half-street frontage on all abutting streets shall be stored on-site. Retention basin design shall conform to City requirements. On-site storm drains may be sized for the 10-year peak runoff as long as an overland flow route is provided for the 100-year peak flow to reach the retention basin(s).
3. Sufficient drywells shall be provided to dry up the retention basin(s) within 36 hours; all drywells shall be Maxwell Plus type as manufactured by Torrent Resources Company or approved equal.
4. Building sprinkler systems, where required, and any on-site private fire lines shall be designed and installed to the satisfaction of the City Engineer and Fire Department; fire hydrants shall be spaced at not greater than 300 foot intervals in accordance with IFC 2018, Appendix C.
5. All on-site water lines, fire lines, and sanitary sewer lines shall be privately owned and maintained. All connections to the public water system shall be protected with backflow devices installed to City standards; water meters shall be located within public rights-of-way. Backflow devices shall be painted to match the building color.
6. All access gates shall comply with City Fire Department requirements and secondary access gates shall be equipped with “Knox” locks conforming to City Fire Department requirements. Vehicular gates shall be equipped with Tomar automatic opening devices and Knox key switches per City



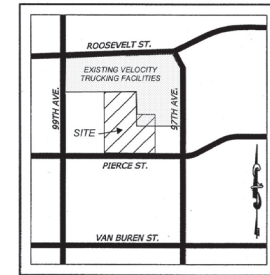
Fire Department requirements.

7. The Developer shall prepare and submit, for approval by the City Engineer, a maintenance plan for the long term operation and maintenance of the underground retention facilities that are being proposed by the developer. The maintenance plan shall be consistent with the criteria provided by the City as part of the site plan review/approval process and shall provide for annual inspections and condition assessment reports to the City's Building Department.
8. Perimeter screen walls shall be constructed in conformance with the City Zoning Code (chain link fencing is not allowed); all parking areas shall be screened from street view by a minimum three-foot-high berm or wall as measured from the highest finished grade of the adjoining parking area.
9. Remove and replace all broken or cracked curb and gutter, sidewalk, asphalt pavement, and signing and striping along the Pierce St frontage.

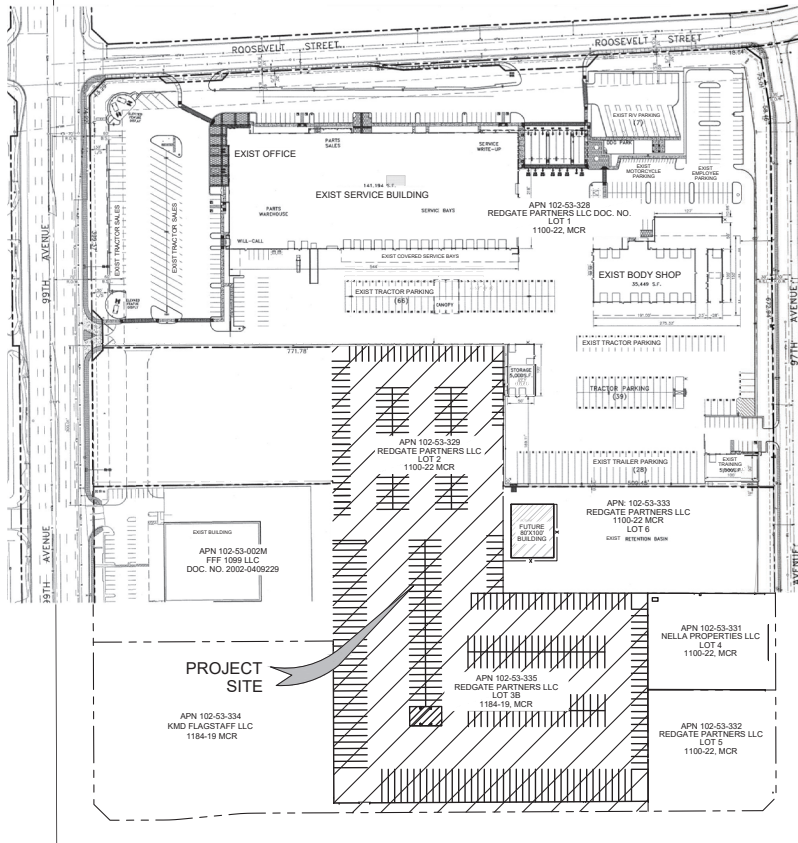


FINAL SITE PLAN
FOR
NEW PARKING FACILITY FOR VELOCITY TRUCKING
TOLLESON, ARIZONA

LOTS 1, 2, 3B, AND 6
TOLLESON COMMERCIAL TRUCK CENTER
BEING A PORTION OF THE WEST HALF OF SEC 4, T1N, R1E,
OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA
SEC 99TH AVENUE AND ROOSEVELT STREET, TOLLESON, AZ



VICINITY MAP
NOT TO SCALE



LOCATION MAP
SCALE: NTS

SHEET INDEX

- 1 SP1 COVER SHEET
- 2 SP2 FINAL SITE PLAN

BENCHMARK

BENCHMARK IS A BRASS CAP IN HAND HOLE
BEING THE WEST 1/4 CORNER OF
SECTION 4, T1N, R1E.
ELEVATION: 1016.08' NAVD 88 (GDACS DATUM)

OWNER/DEVELOPER

VELOCITY TRUCKING GROUP
9600 W ROOSEVELT STREET
TOLLESON, AZ 85353
ATTN: JASON SHEARER
(909) 223-4653

ENGINEER

FRANK CIVIL CONSULTING
7254 E SOUTHERN AVE, STE 107
MESA, AZ 85209
OFFICE: (480) 654-4533
FAX: (480) 534-7618
ATTN: MICHAEL FRANK OR TOM BECK

APN

A PORTION OF 102-53-328, 102-53-329
AND 102-53-333, BK 1100, PG 22, MCR
AND ALL OF 102-53-335, BK 1184, PG 19,
MCR

SITE AREA

GROSS: 9.35 ACRES
RIGHT-OF-WAY: 0.35 ACRES (15,313 SF)
NET: 9.00 ACRES (392,200 SF)

FLOODPLAIN STATEMENT

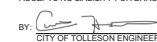
ACCORDING TO FEMA FLOOD INSURANCE RATE MAP
NUMBER 04013C180M, DATED SEPTEMBER 18, 2020, THE
SUBJECT PROPERTY IS LOCATED IN ZONE "X". ZONE "X" IS
DEFINED AS "AREAS OF 0.2% ANNUAL CHANCE OF FLOOD
HAZARD. AREAS OF 1% ANNUAL CHANCE OF FLOOD WITH
AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE
AREAS LESS THAN ONE SQUARE MILE."

LEGEND AND ABBREVIATIONS

| | | |
|----------------------|--|--------------------------|
| APN | ASSESSOR PARCEL NUMBER | TREE |
| C, CONC | CONCRETE | PALM TREE |
| C&P | CONCRETE AND PAVEMENT | SIGN |
| CO | CLEAN OUT | FIRE HYDRANT |
| CUB | COMMUNICATION JUNCTION BOX | WATER VALVE |
| DMH | STORM DRAIN MANHOLE | WATER METER |
| DW | DRYWELL, DOMESTIC WATER | ELECTRIC METER |
| EX, (E), (EX), EXIST | EXISTING | ELECTRIC JUNCTION BOX |
| EM | ELECTRIC METER | ELECTRIC TRANSFORMER |
| EJB | ELECTRIC JUNCTION BOX | FIRE HYDRANT |
| ET | ELECTRIC TRANSFORMER | WATER METER |
| FI | FIRE HYDRANT | ELECTRIC LIGHT POLE |
| FL | FIRE LINE | SANITARY SEWER CLEAN OUT |
| GRT | GRATE | CATCH BASIN |
| INV | INVERT | DRY WELL |
| LP | LIGHT POLE | STORM DRAIN MANHOLE |
| MCR | MARICOPA COUNTY RECORDS | STORM DRAIN HEADWALL |
| (N) | NEW | FLOW ARROW |
| NTS | NOT TO SCALE | SEWER MANHOLE |
| P, P/MT | PAVEMENT | TELE RISER |
| PUE | PUBLIC UTILITY EASEMENT | JERSEY BARRIER |
| RCP | REINFORCED CONCRETE PIPE | RAMP |
| RGRCP | RUBBER GASKET REINFORCED CONCRETE PIPE | CONCRETE PAVEMENT |
| R/W | RIGHT-OF-WAY | RIP RAP |
| S | SLOPE | BUILDING |
| SLM | STREET LIGHT MAST | |
| SPKLR | FIRE SPRINKLER LINE | |
| SS | SANITARY SEWER | |
| TC | TOP OF CURB | |
| TR | TELEPHONE RISER | |
| VG | VALLEY GUTTER | |
| WM | WATER METER | |
| WSE | WATER SURFACE ELEVATION | |
| WV | WATER VALVE | |
| YEAR | YEAR | |
| Δ | PROPERTY CORNER | |
| --- | FOUND MONUMENT AS NOTED | |
| --- | PROPERTY LINE | |
| --- | PUBLIC UTILITY EASEMENT | |
| --- | ROADWAY CENTERLINE | |
| --- | CHAINLINK FENCE | |
| --- | WATER LINE | |
| --- | SEWER LINE | |
| --- | GRADE BREAK / FLOWLINE | |
| --- | BLOCK WALL | |
| --- | CURB AND GUTTER | |
| --- | CONTOUR W/ ELEVATION | |
| --- | STORM DRAIN | |

APPROVAL

THE CITY OF TOLLESON APPROVES THIS FINAL SITE PLAN FOR CONCEPT ONLY AND
ACCEPTS NO LIABILITY FOR ERRORS OR OMISSIONS.

BY: 
CITY OF TOLLESON ENGINEER

6/20/2023
DATE

FRANK
CIVIL
CONSULTING
480.654.4533
7254 EAST SOUTHERN AVENUE
MESA, AZ 85209

FINAL SITE PLAN COVER SHEET
FOR
NEW PARKING FACILITY FOR VELOCITY TRUCKING
9600 W ROOSEVELT STREET
TOLLESON, ARIZONA 85353



REVISIONS:

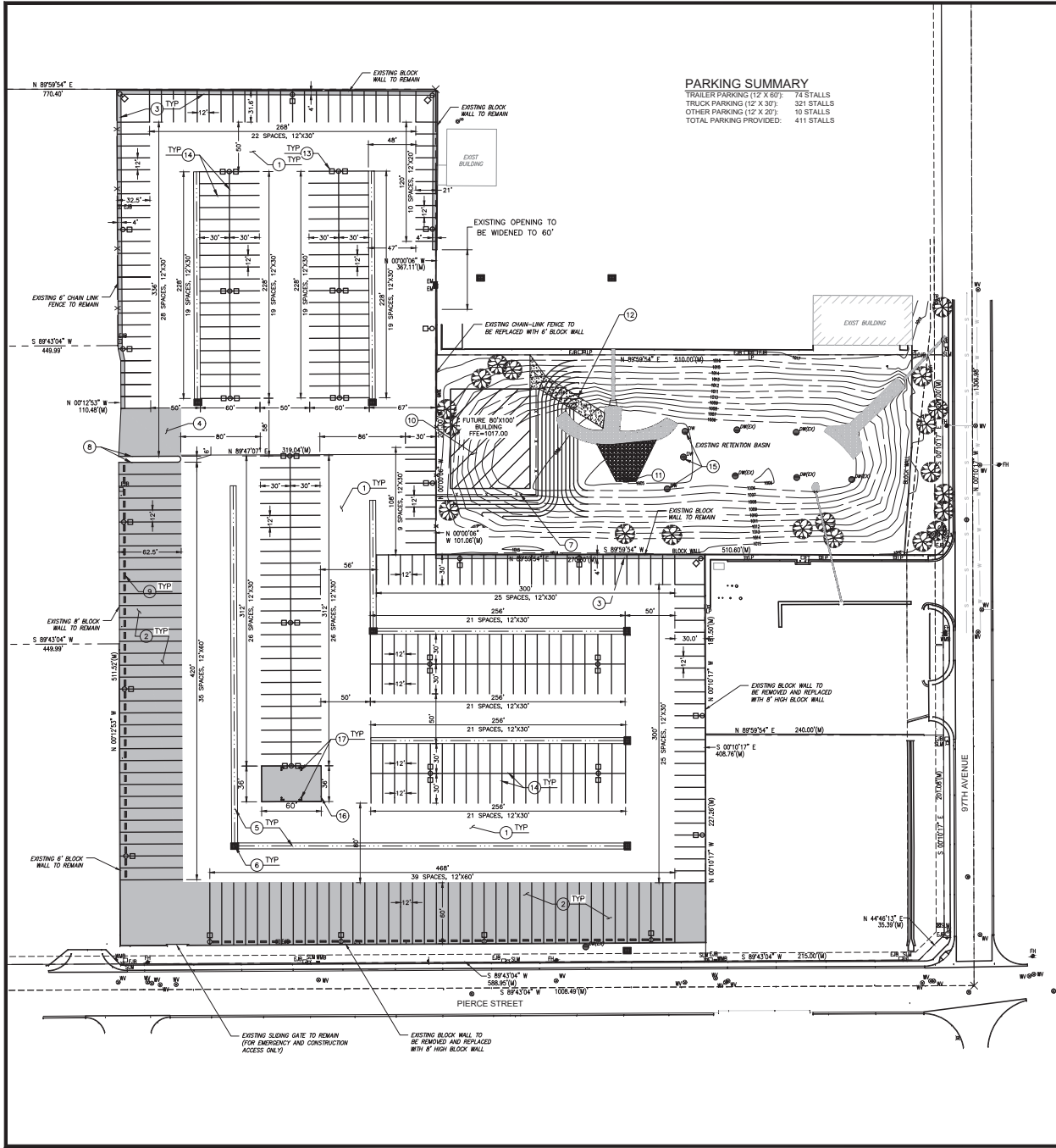
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DATE ISSUED: 06-16-2023
DESIGNED BY: MG
DRAWN BY: TB
CHECKED BY:
PROJECT NO.
SCALE:
SHEET NO.

1 of 2

DRAWING NO.

SP1



PARKING SUMMARY
TRAILER PARKING (12' X 60') 74 STALLS
TRUCK PARKING (12' X 30') 321 STALLS
OTHER PARKING (12' X 30') 10 STALLS
TOTAL PARKING PROVIDED: 411 STALLS

GENERAL CONSTRUCTION NOTES

- 1 FULL-DEPTH ASPHALT CEMENT PAVEMENT (ACP)
- 2 NON-REINFORCED PORTLAND CEMENT CONCRETE PAVEMENT (PCCP) FOR TRAILER PARKING
- 3 NON-REINFORCED PORTLAND CEMENT CONCRETE (PCC) STRIP TO ACT AS PRESSURE RELIEF GUARD AGAINST EXISTING WALL/CHAIN LINK FENCE
- 4 NON-REINFORCED PORTLAND CEMENT CONCRETE (PCC) FOR DUMPSTERS
- 5 NON-REINFORCED PORTLAND CEMENT CONCRETE (PCC) VALLEY GUTTER WITH MACRO SYNTHETIC REINFORCING FIBER
- 6 CATCH BASIN
- 7 6" CHAIN LINK FENCE (ONCE FUTURE BUILDING IS CONSTRUCTED)
- 8 SINGLE VERTICAL CONCRETE CURB
- 9 CONCRETE BARRIER TRAILER STOP
- 10 COMPACTED FILL-IN EXISTING RETENTION BASIN FOR FUTURE BUILDING
- 11 RIPRAP OVER NON-WOVEN FILTER FABRIC FOR EROSION PROTECTION
- 12 ACCESS RAMP INTO RETENTION BASIN
- 13 LIGHT POLE AND FIXTURE(S) (APPROXIMATE LOCATIONS ONLY - SEE ELECTRICAL LIGHTING PLAN FOR EXACT LOCATIONS)
- 14 4" WHITE STRIPE FOR PARKING STALLS
- 15 MAXWELL IV DRYWELL (FINAL QUANTITY PER FIELD PERCOLATION TESTING AFTER INSTALLATION)
- 16 NON-REINFORCED PORTLAND CEMENT CONCRETE (PCC) PAD WITH MACRO SYNTHETIC REINFORCING FIBER FOR RELOCATED "A-FRAME"
- 17 PROTECTIVE BOLLARDS

FRANK CIVIL CONSULTING
480.654.4533
7254 EAST SOUTHERN AVENUE
MESA, AZ 85209

FINAL SITE PLAN
FOR
NEW PARKING FACILITY FOR VELOCITY TRUCKING
9600 W ROOSEVELT STREET
TOLLESON, ARIZONA 85353

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| REVISIONS: | |
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| DATE ISSUED: | 06-16-2023 |
| DESIGNED BY: | AKG |
| DRAWN BY: | TB |
| CHECKED BY: | |
| PROJECT NO. | |
| SCALE: | |
| SHEET NO. | |

2 of 2
SP2

APPROVAL
THE CITY OF TOLLESON APPROVES THIS FINAL SITE PLAN FOR CONCEPT ONLY AND ACCEPTS NO LIABILITY FOR ERRORS OR OMISSIONS.
BY: CITY OF TOLLESON ENGINEER DATE: / /

NOTICE OF PUBLIC HEARING

CITY OF TOLLESON

NOTICE IS HEREBY GIVEN that the City of Tolleson Mayor and Council will conduct a **PUBLIC HEARING** during a Regular City Council Meeting scheduled on **TUESDAY, JUNE 13, 2023** beginning at **6:00 P.M.** in the Council Chambers at the Tolleson Civic Center, 9055 West Van Buren Street, Tolleson, Arizona 85353, and via Zoom Webinar at <https://us02web.zoom.us/j/87392875204> or via telephone at 1-253-215-8782 (Meeting ID: 873 9287 5204), for the purpose of:

Soliciting comments from interested parties in reference to Site Plan Application #23040001 as submitted by Tom Beck with Frank Civil Consulting, on behalf of the owner, Velocity Vehicle Group c/o Jason Shearer, for a new parking facility and future 8,000 square ft. recreational vehicle maintenance building to be located at the southeast corner of 99th Avenue and Roosevelt Street in Tolleson, AZ. The site, comprised of APNs 102-53-328, 102-53-329, 102-53-333 and 102-53-335, is approximately 33 acres and zoned General Commercial (C-2). (Velocity Trucking Parking Expansion)

Published in the Arizona Republic on Friday, May 26, 2023.



CITY OF TOLLESON

BUILDING AND CODE ENFORCEMENT

9055 W. VAN BUREN STREET, TOLLESON, AZ. 85353

Phone 623-936-7111, TDD 623-936-2792, Fax 623-936-7117

www.tolleson.az.gov

Affidavit of Postings

On May 23, 2023, I, Ken Hernandez certify that the following (Property)(Properties) were posted as per ARS 9-462.04.

NOTICE OF PUBLIC HEARING

CITY OF TOLLESON

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Published in the Arizona Republic on Friday, May 26, 2023.

KHERNANDEZ

Signature







THE CITY OF TOLLESON

WILL CONDUCT A PUBLIC HEARING REGARDING

NOTICE OF PUBLIC HEARING

CITY OF TOLLESON

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Soliciting comments from interested parties in reference to Site Plan Application #23040001 as submitted by Tom Beck with Frank Civil Consulting, on behalf of the owner, Velocity Vehicle Group c/o Jason Shearer, for a new parking facility and future 8,000 square ft.

recreational vehicle maintenance building to be located at the southeast corner of 99th Avenue and Roosevelt Street in Tolleson, AZ. The site, comprised of APNs 102-53-328, 102-53-329, 102-53-333 and 102-53-335, is approximately 33 acres and zoned General Commercial (C-2). (Velocity Trucking Parking Expansion)

Published in the
Arizona Republic on Friday, May 26, 2023.

AT TOLLESON CITY HALL • 9555 W. VAN BUREN STREET
PUBLIC NOTICE



CITY COUNCIL REPORT

| | | |
|--|---|---|
| <p>Meeting Date: June 27, 2023</p> <p>Action Item: a.</p> <p><input checked="" type="checkbox"/> Consent <input type="checkbox"/> Work Study <input type="checkbox"/> Regular <input type="checkbox"/> E-Session <input type="checkbox"/> Business from the Floor</p> | <p>Type of Action:</p> <p><input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Other</p> <p>Minutes</p> | <p>Subject:</p> <p>Approve Regular City Council Meeting Minutes of June 13, 2023.</p> |
| <p>Budget Impact:</p> <p>Expense <input type="checkbox"/> Revenue <input type="checkbox"/></p> <p>\$</p> <p>Budgeted <input type="checkbox"/> Contingency <input type="checkbox"/> Grant <input type="checkbox"/> Other <input checked="" type="checkbox"/></p> | <p>Department: City Clerk</p> <p>Action Recommended by: Crystal Zamora, City Clerk</p> | |
| <p>Reviewed by Reyes Medrano Jr., City Manager <input checked="" type="checkbox"/></p> <p>Purpose: The minutes provide an outlet for residents to connect with the City of Tolleson in order to stay informed of Mayor and Council's actions, and they are posted on the City's website and filed in the City Clerk's Office. Transcription is provided in order to facilitate communication accessibility and may not be a totally verbatim record of the proceedings.</p> <p>Background/Discussion: It is the public policy of the State of Arizona that meetings of public bodies be conducted openly and that notices and agendas be provided for such meetings which contain such information as is reasonably necessary to inform the public of the matters to be discussed or decided. Minutes serve a historical purpose, but just as important, they serve a legal purpose, documenting Council's adherence to the proper procedures, city code and state law. The approved minutes are a permanent record.</p> <p>Recommendation: Staff recommends the City Council approve the Regular City Council Meeting Minutes of June 13, 2023.</p> | | |



CITY OF TOLLESON

9055 W. Van Buren St. • Tolleson, AZ 85353 • Direct: (623) 936-7111 • Fax: (623) 936-7117 • TTY users, dial 711

TOLLESON CITY COUNCIL MEETING ACTION MINUTES

TOLLESON CIVIC CENTER

9055 WEST VAN BUREN STREET, TOLLESON, AZ 85353

ZOOM WEBINAR ID: 873 9287 5204

TUESDAY, JUNE 13, 2023

6:00 P.M.

CALL TO ORDER

Mayor Rodriguez called the Tolleson City Council Meeting to order at 6:01 P.M.

INVOCATION/PLEDGE OF ALLEGIANCE

The Invocation was delivered by City Attorney Pierce.

ROLL CALL

City Council: Mayor Juan Rodriguez, Vice Mayor Lupe Bandin, Council Members Jimmy Davis, Clorinda Erives, Adolfo Gámez and Linda Laborin.

Department Directors: City Manager Reyes Medrano Jr., Chief Financial Officer Kevin Artz, Chief Government Affairs Officer Pilar Sinawi, Chief Preparedness Officer George Good, Chief Technical Officer Steve Holliday, Deputy City Clerk Michelle Smythe, Development Services Director Jason Earp, Employee Resources Director Wendy Jackson, Field Operations Director Randy Babchuk, Fire Chief Garrett Roberts, Human Services Director Santiago Cornejo, Parks & Recreation Director John Paul Lopez, Police Chief Rudy Mendoza and Utilities Director Jamie McCracken.

City Representative: City Attorney Justin Pierce

MEMORIAL SERVICE AND PROCLAMATION HONORING COUNCIL MEMBER ALBERT MENDOZA

Proclamation in memory of Mr. Albert P. Mendoza, honoring his 15 years of service to the City of Tolleson as he proudly served his beloved community as Council Member. Council Member Mendoza was instrumental in the decision-making processes and was committed to protect and

promote the best interests for all Tolleson's residents. He was known by the community as T-Town Al, for his contagious humor and for always being just one phone call away.

FINAL CALL TO SUBMIT SPEAKER REQUESTS

All citizens and interested parties wishing to speak before the Council regarding agenda items, non-agenda items or during a public hearing shall participate via Zoom Video Conference. Click the chat button, and enter your name and the item you would like to address. Submissions should be made no later than the Mayor announcing the "Final Call to Submit Speaker Requests". **All speakers will be limited to three (3) minutes unless otherwise noted by the Mayor.** Speakers are not required to disclose their identities or personal information. You may also submit your comments to cityclerk@tolleson.az.gov at least one hour prior to the meeting.

CALL TO THE PUBLIC (NON-AGENDA ITEMS)

This is the time for the public to comment on non-agenda items. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01.H, action taken as a result of public comment will be limited to (1) responding to criticism; (2) directing staff to review the matter; or (3) asking that a matter be put on a future agenda.

SCHEDULED PUBLIC APPEARANCES AND PROCLAMATIONS

1. Proclamation declaring June 19, 2023 as Juneteenth Freedom Day in the City of Tolleson, recognizing the importance of this celebration and encouraging citizens in Tolleson to reflect upon the value of freedom, reaffirm the universal principle of justice for all and come together with a spirit of peace, respect and brotherly love. – Wendy Jackson, Employee Resources Director

Mayor Rodriguez proclaimed June 19, 2023 as Juneteenth Freedom Day in the City of Tolleson.

2. Proclamation declaring June 2023 as LGBTQ+ Pride Month in the City of Tolleson, recognizing and celebrating the many ways in which the advancements, discoveries and achievements of LGBTQ+ Americans have contributed to the history, culture and social fabric of the nation and of the City of Tolleson by building acceptance and advancing equal rights. – Wendy Jackson, Employee Resources Director

Mayor Rodriguez proclaimed June 2023 as LGBTQ+ Pride Month in the City of Tolleson.

BUSINESS FROM THE FLOOR - PUBLIC HEARINGS AND ACTION ITEMS

1. Public Hearing – Soliciting comments from interested parties in reference to Site Plan Application #23050001 as submitted by Mark Beck with Beck Consulting Engineers, Inc., on

behalf of owner, Tolleson 70, LLC, for a semi-truck dealership and service center to be located at the southwest corner of 91st Avenue and Latham Street in Tolleson, AZ. The site, comprised of a portion of APN 102-53-361, is approximately 12 acres and zoned Planned Area Development (PAD). (Vanguard Trucking Center)

The public hearing opened at 6:31 P.M.

Council Action: Approve/Deny Site Plan Application #23050001. (Twelve recommended stipulations – Development Services Department)

Council Member Gámez moved to continue the public hearing and to postpone the approval of the Site Plan to the June 27th City Council Meeting; the motion was seconded by Council Member Laborin. The motion carried 6 to 0.

Mayor Rodriguez – Aye

Vice Mayor Bandin – Aye

Council Member Davis – Aye

Council Member Erives – Aye

Council Member Gámez – Aye

Council Member Laborin – Aye

2. Public Hearing – Soliciting comments from interested parties in reference to Site Plan Application #23040001 as submitted by Tom Beck with Frank Civil Consulting, on behalf of the owner, Velocity Vehicle Group c/o Jason Shearer, for a new parking facility and future 8,000 square ft. recreational vehicle maintenance building to be located at the southeast corner of 99th Avenue and Roosevelt Street in Tolleson, AZ. The site, comprised of APNs 102-53-328, 102-53-329, 102-53-333 and 102-53-335, is approximately 33 acres and zoned General Commercial (C-2). (Velocity Trucking Parking Expansion)

The public hearing opened at 6:33 P.M.

Council Action: Approve/Deny Site Plan Application #23040001. (Eleven recommended stipulations – Development Services Department)

Vice Mayor Bandin moved to continue the public hearing and to postpone the approval of the Site Plan to the June 27th City Council Meeting; the motion was seconded by Council Member Gámez. The motion carried 6 to 0.

Mayor Rodriguez – Aye

Vice Mayor Bandin – Aye

Council Member Davis – Aye

Council Member Erives – Aye

Council Member Gámez – Aye

Council Member Laborin – Aye

3. Public Hearing – Soliciting comments from interested parties in reference to Use Permit Application #23040003 as submitted by Joshua Oehler with Arc One Associates, on behalf of the owner, Tire Shop Los Cuates, LLC/Miguel Hernandez, for an automotive tire and auto repair shop with eight service bays offering oil changes, tires, alignments, brakes and light mechanical vehicle work to be located at the northeast corner of 99th Avenue and Washington Street, in Tolleson, AZ. The site, APN 101-05-974, is approximately 30,312 square feet and zoned General Commercial (C-2). (Los Cuates Tire and Automotive Repair Shop)

The public hearing opened at 6:34 P.M. and closed at 6:52 P.M.

Council Action: Approve/Deny Use Permit Application #23040003. (Development Services Department)

Council Member Gámez moved to approve Use Permit Application #23040003 subject to stipulations, compliance with submitted CC&Rs and no service to semi-trucks; the motion was seconded by Council Member Erives. The motion carried 6 to 0.

Mayor Rodriguez – Aye

Vice Mayor Bandin – Aye

Council Member Davis – Aye

Council Member Erives – Aye

Council Member Gámez – Aye

Council Member Laborin – Aye

4. Public Hearing – Soliciting comments from interested parties in reference to adopting the Property Tax Levy for Fiscal Year 2024. (Discussion only)
Resolution No. 2531, regarding the Property Tax Levy, will go before Council for consideration at the meeting scheduled on Tuesday, June 27, 2023.

The public hearing opened at 6:55 P.M. and closed at 6:58 P.M.

5. Public Hearing – Soliciting comments from interested parties in reference to Resolution No. 2530, adopting the City of Tolleson Annual Budget for Fiscal Year 2024. (Finance Department)

The public hearing opened at 6:59 P.M. and closed at 7:01 P.M.

CONVENE INTO SPECIAL MEETING

1. Motion to go into special meeting.

Council Member Gámez moved to convene into a special meeting; the motion was seconded by Council Member Erives. The motion carried 6 to 0.

Mayor Rodriguez – Aye

Vice Mayor Bandin – Aye

Council Member Davis – Aye

Council Member Erives – Aye
Council Member Gámez – Aye
Council Member Laborin – Aye

2. Adopt/Deny Resolution No. 2530 of the Mayor and Council of the City of Tolleson, Arizona, adopting the Final Budget and establishing the Expenditure Limitation for the City of Tolleson for Fiscal Year 2024. The total amount of budgeted expenditures is \$188,769,614.
(Finance Department)
Roll Call Vote

Vice Mayor Bandin moved to adopt Resolution No. 2530; the motion was seconded by Council Member Erives. The motion carried 6 to 0.

Roll Call Vote:

Mayor Rodriguez – Aye
Vice Mayor Bandin – Aye
Council Member Davis – Aye
Council Member Erives – Aye
Council Member Gámez – Aye
Council Member Laborin – Aye

RECONVENE INTO REGULAR MEETING

1. Motion to go into regular meeting.

Vice Mayor Bandin moved to reconvene into the regular meeting; the motion was seconded by Council Member Gámez. The motion carried 6 to 0.

Mayor Rodriguez – Aye
Vice Mayor Bandin – Aye
Council Member Davis – Aye
Council Member Erives – Aye
Council Member Gámez – Aye
Council Member Laborin – Aye

CONSENT AGENDA – ACTION ITEMS

Items on the Consent Agenda are of a routine nature and are intended to be acted upon in one motion. Council Members may pull items from Consent if they would like them considered separately.

- a. Approve Regular City Council Meeting Minutes of May 23, 2023. (City Clerk Department)
- b. Approve Claims and Bills Report for the period of May 17, 2023 to June 6, 2023. (Finance Department)

- c. Adopt Resolution No. 2524 of the Mayor and Council of the City of Tolleson, Arizona, approving the Agreement between the City of Tolleson and the Greater Phoenix Economic Council (GPEC) for FY 2024 relating to the Regional Economic Development Program. The City of Tolleson agrees to pay \$3,582 for services to be provided by GPEC to improve the City's competitiveness and market readiness to support the growth and expansion of targeted industries. (Development Services Department)
- d. Adopt Resolution No. 2532 of the Mayor and Council of the City of Tolleson, Arizona, approving the Amendment to the Transit Services Agreement, Contract #172-75-2024-05-00, between the City of Tolleson and Regional Public Transportation Authority (RPTA) relating to regional transit services for Fiscal Year 2024. The City of Tolleson will pay RPTA a total of \$104,295: \$0 for the local share of Zoom Route Bus Service, \$79,028 for the provision of ADA Mandated Paratransit Services and \$25,267 for the RideChoice Transportation Services Program. (Field Operations Department)
- e. Adopt Resolution No. 2534 of the Mayor and Council of the City of Tolleson, Arizona, approving the First Amendment to the Intergovernmental Agreement for Fiscal Year 2024, Contract No. C-22-22-120-X-01, between the City of Tolleson and Maricopa County, administered by its Human Services Department, for cash reimbursement to the City in the amount of \$165,000 to assist low-income households in crisis situations and to move them closer to economic self-sufficiency. The City and MCHSD agree to enter into this First Amendment to extend the term from June 30, 2023 through June 30, 2024 and to revise certain sections of the Agreement. (Human Services Department)
- f. Adopt Resolution No. 2535 of the Mayor and Council of the City of Tolleson, Arizona authorizing the acceptance, if awarded, of a grant from the Arizona Office of Tourism relating to Proposition 302 Maricopa County Marketing Grant Program to promote tourism through website development and media communication. (Public Affairs Department)
- g. Adopt Resolution No. 2536 of the Mayor and Council of the City of Tolleson, Arizona approving the Contract of Services, No. 2024-40-TOL, between the City of Tolleson and Area Agency on Aging, Region One, Incorporated to provide funding to the City for specified senior services for Fiscal Year 2024 in the amount of \$168,178. (Human Services Department)
- h. Approve the Cooperative Purchasing Agreement between the City of Tolleson and The W.W. Williams Company, LLC. for fire apparatus Maintenance and Repair Services, and authorize the City Manager to execute and deliver said Agreement. The City shall pay the Contractor an annual aggregate amount not to exceed \$200,000. This Agreement shall remain in full force and effect until January 16, 2024. (Fire Department)
- i. Approve First Amendment to the Cooperative Purchasing Agreement between the City of Tolleson and Sands Motor Company for new vehicle purchases, and authorize the City Manager to execute and deliver said Agreement. The City desires to amend the existing Agreement to increase the annual aggregate amount from \$90,000 to \$200,000 for materials

and services; and to extend the term of the Agreement from March 17, 2023 to March 16, 2024. (Utilities Department)

- j. Approve Cooperative Purchasing Agreement between the City of Tolleson and Combs Construction Company, Inc. for Job Order Contracting (JOC) for citywide civil/site work, and authorize the City Manager to execute and deliver said Agreement. The annual aggregate amount for this Agreement shall not exceed \$250,000. This Agreement shall remain in full force and effect until January 31, 2024. (Development Services Department)

Council Member Laborin moved to approve Consent Agenda items a.-j.; the motion was seconded by Council Member Gámez. The motion carried 6 to 0.

Mayor Rodriguez – Aye

Vice Mayor Bandin – Aye

Council Member Davis – Aye

Council Member Erives – Aye

Council Member Gámez – Aye

Council Member Laborin – Aye

REGULAR AGENDA – ACTION ITEMS

1. Adopt/Deny Resolution No. 2533 of the Mayor and Council of the City of Tolleson, Arizona, adopting a Public Safety Personnel Retirement System (PSPRS) Pension Funding Policy to clearly communicate the Council's pension funding objectives, its commitment to its employees and the sound financial management of the City, and to comply with A.R.S § 38-863.01. (Finance Department)

Council Member Gámez moved to adopt Resolution No. 2533; the motion was seconded by Council Member Davis. The motion carried 6 to 0.

Mayor Rodriguez – Aye

Vice Mayor Bandin – Aye

Council Member Davis – Aye

Council Member Erives – Aye

Council Member Gámez – Aye

Council Member Laborin – Aye

2. Approve Cooperative Purchasing Agreement Renewal between the City of Tolleson and DH Pace Company, Inc., for additional services and equipment on an as-needed basis for Access Control Systems, Intrusion Systems and Closed-Circuit Television for City facilities, and authorize the City Manager to execute and deliver said Amendment. The City desires to increase the annual aggregate amount from \$350,000 to \$1,000,000 for equipment and services. (Information Technology Department)

Council Member Gámez moved to approve the Cooperative Purchasing Agreement for FY 23-24; the motion was seconded by Vice Mayor Bandin. The motion carried 6 to 0.

Mayor Rodriguez – Aye
Vice Mayor Bandin – Aye
Council Member Davis – Aye
Council Member Erives – Aye
Council Member Gámez – Aye
Council Member Laborin – Aye

WORK STUDY AND PRESENTATIONS – FOR DISCUSSION

1. COVID-19 Update – George Good, Chief Preparedness Officer

MAYOR AND CITY MANAGER’S REPORT OF CURRENT EVENTS

ADJOURNMENT

Council Member Gámez moved to adjourn the Regular City Council Meeting; the motion was seconded by Vice Mayor Bandin. The motion carried 6 to 0.

Mayor Rodriguez – Aye
Vice Mayor Bandin – Aye
Council Member Davis – Aye
Council Member Erives – Aye
Council Member Gámez – Aye
Council Member Laborin – Aye

The meeting adjourned at 7:40 P.M.

Post-Production File

City of Tolleson
City Council Meeting Minutes
June 13, 2023

Transcription Provided By:
eScribers, LLC

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Transcription is provided in order to facilitate communication accessibility and may not
be a totally verbatim record of the proceedings.

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MAYOR RODRIGUEZ: First time, let me start all over. No, I'm just kidding. This is actually the first time in how many years?

PIERCE: Three and a half.

MEDRANO: Three-ish? Yeah.

MAYOR RODRIGUEZ: About three, three-and-a-half years that number one, that we've met as a body together because of COVID. But number two, that we met in this building since it's been built. And it's been operational now for about --

MEDRANO: Since November.

MAYOR RODRIGUEZ: Since November. So I think just to mark the occasion and to thank the staff for all their hard work, we should give them a big round of applause.

So some of the things that we wanted to do, we've always wanted to do, and this -- I guess you could say COVID gave us this opportunity, is to expand the opportunity for our residents to participate in our meetings.

So as all of you guys are here today, you're participating in person. Thank you for being here. But we didn't give up Zoom. So if you're in London or you're in China, or you're -- wherever you are, Acapulco, Cancun, and you have your laptop and you want to participate, you can get on Zoom, you can participate, and actually make comments and contribute to the conversation too.

So we're going to continue that tradition, because it's yet another opportunity for us to expand our residents and people in the West Valley or in the nation, the world to participate in our meetings and give us some positive feedback as we move forward when it comes to developing our community.

So with that, I'm going to go over some of the, the Zoom stuff. Number one, you can participate through Zoom through your desktop client. You go to zoom.us, you click on the link, and it'll take you right to our meeting. You'll participate not as a panelist, but as a member of our audience. Zoom also has a mobile app. So if you have a cell phone or smart pad or anything like that. Cell phone, tablet you can download Zoom and you can participate using that app as well.

And then we have a web client browser. So if you got Google Chrome, Internet Explorer, Firefox, Safari, any of those on your at-home computer, you can download Zoom and participate. And then if you don't have any of those and you have a good ol' phone, you can also participate telephonically. There's a phone number you can call, you put in the passcode, and you can actually patch into the conversation as well. So many ways to participate, and I want to make sure that everybody is well aware of that. And as we move forward, if there's other ways to maximize participation from our community. Staff and us as a council are very committed to that. So we want to make sure that everybody's aware of that. So with that being said, we're going to move into the meats and potatoes of the agenda.

The very first order of business is doing our invocation and our Pledge of Allegiance. So I'm going to call on our city attorney, Justin Pierce, to please help us out with that, if you can lead us with our prayer. And then I'm going to ask Vice Mayor Bandin to lead us in the pledge. Please stand.

PIERCE: If you would join me in prayer. Mayor, members of council and members in the audience. Our beloved Heavenly Father, we are grateful to be gathered here today, especially on this occasion where we have to meet in person for the first time in a very long time. We're grateful for the community of support that we have here. We're grateful to be able to be together, and the value that it is to be able to be together this way. We pray that thou would please protect us from future pandemics or other conditions that would keep us from being able to meet as we are here today. We pray, Father, special blessing on the meeting this evening. As we are also commemorating and remembering our dear friend and our beloved member of this council for so many years, Albert Mendoza.

We're grateful for him. We know that thou has received him and that he is watching over us at this time. We are grateful for his family and others who are here to be able to commemorate his service as well, and his contribution to our great community. We're grateful for those who are here also and representing our public safety. And those who protect us both here and abroad.

Please keep them safe from harm or accident, help them return home to their families at all times. And Father, please bless this great council and the staff of the city that serves with such with such honor and with the desire to do what's best for -- for those in this community. Please bless them with wisdom and with the guidance of the Holy Spirit in all things. And we pray for these favors and blessings at this time. We do so in the name of Jesus Christ. Amen.

BANDIN: I pledge allegiance to the flag of the United States of America. And to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MAYOR RODRIGUEZ: Mr. Pierce. Thank you, Vice Mayor. Today we're going to move on to roll call. Please let the record reflect that all council members are present here today and body or spirit. We're all here.

CITY CLERK: Thank you, mayor.

MAYOR RODRIGUEZ: And so we're going to move on to memorial services and proclamation honoring Council Member Albert Mendoza. Now, I'm not a reader. I like bullet points. The staff knows. Give me some bullet points and let me talk. But in this case, I don't want to mess it up, so I'm going to read it. But just bear with me.

Proclamation and memory of Mr. Albert P. Mendoza, honoring his 15 years of service to the City of Tolleson. And he proudly served his beloved community as council member. Council Member Mendoza was instrumental in the decision-making process and was committed to promote and protect the best interest for Tolleson residents.

He was known by the community as T-Town Al for his contagious humor and for always being just one phone call away.

So it is with great sorrow, but with great honor that we remember our dear friend and council member, Albert Mendoza. Albert Mendoza was elected to represent the community as a council member back in 2007. In his role, he collaborated with other city council members, businesses, community organizations, and citizens to provide clear leadership for the growth and sustainability of the City of Tolleson. He had served as president of the West End Middle League for three years, and as a parish council

member, of Blessed Sacrament Church. As a strong proponent of service to people, council member Mendoza served his country in the United States Army. Council member Mendoza was a native of Tolleson, married to Cruzita. Thanks for being here. Together, they raised two sons, Michael and Richard Tolleson, who are also present here today.

At this time, I would like to ask each council member to share a word that described Council Member Mendoza and to share a short memory of why they chose that word. And I should state, when I first started thinking about, you know, talking about council member Mendoza, you know, all kinds of thoughts came to my mind. I said, man, if we just talk from my heart, we're going to be here for three hours. So I asked each council member to pick one word and to describe why that word describes Albert. So I'm going to start with over here on the west side.

ERIVES: South side.

MAYOR RODRIGUEZ: Yes. South side, yeah. We have a key to the city. And so pass it around as you speak.

ERIVES: Can you hear me?

UNIDENTIFIED SPEAKER: Yeah.

ERIVES: Thank you. So my word is magical. The word magical for me is Albert was not only a council member, but he's my uncle as well. And so as being my uncle, he gave me my first job. I was working in his barbershop, sweeping, folding towels, washing hair, answering phones. And magical is because clients would walk in, customers, clients were friends, would come in. And I remember this gentleman, his head is a little lowered, his body's a bit tired. He didn't have an appointment, you know, just comes in, can I get a haircut? And of course, Albert, sure, come on in, have a seat. And he flicks his barber cape, right? He flicks that.

And magic begins, person sits down, gets his haircut. I don't know if it's the clippers or the conversation, but something happens where this person, after his haircut walks up taller, stands up and looks people more like in the eye. His energy is renewed. And

there's this pep in his step as he walks away. I'm watching because it wasn't the same person coming in as it was coming out. And like I said, magical, because that was his interaction with everyone. You spoke with him, talked with him, called him. He had that conversation with you, and this joy, and this laughter. Aha. It was wonderful to watch. So when I think of Council Member Mendoza, uncle, the word magical is the one I used to describe him.

GAMEZ: The word I selected for Albert was integrity. Albert was a man of his word. He held true to his values. And when he told you something and what he was going to do, he'd do it. And he'd tell you why you do it. And if he said he wasn't going to do something, he'd tell you why. So he didn't mess around. He would tell you directly. And he was just as honest as the day is long. He loved serving Tolleson. He loved his community. He loved the people of this community, but his number one priority, and I know it, and everybody else knows it, was his family. His family was everything. You do whatever you can to help them, love them, provide for them. He was a family man, no doubt about it. And I have nothing but immense respect for him and his family. And we're lucky to have them in our community because he gave a lot to our community. So with that, I say thank you so much.

DAVIS: The word I chose was support. My first music job -- I've been really blessed to have lots of music jobs and support myself as a musician. But Council Member Mendoza would always, always, always support me with my first music job. At Blessed Sacrament him and Cruzita would always come to my concerts, and they would always tell me that they were my number one fan. And I mean, just that support. And it really -- it set me up, you know, to continue on and to keep chasing my dreams to be a working musician. And, you know, without people like Council Member Mendoza, I might have given up and just got a regular job and, you know, gone about that. But because of that support, I always think of that. I always think of that every time I see Cruzita or I would see Council Member Mendoza. That's what would always come to my mind. It would just bring joy to my heart. So thank you for that. Thank you for that support, Cruzita, as well as Council Member Mendoza.

LABORIN: I didn't get a list of the words we were supposed to use. So I'm just going to say his favorite word when I would talk to him was (Spanish spoken).

BANDIN: When I was growing up, my dad had many good friends. He called them (Spanish spoken). They were all kind, generous, and thoughtful. As I began working with Councilman Albert Mendoza, I learned that he was kind, generous, and a thoughtful man and leader. So naturally I wanted to call him (Spanish spoken). So I would send him a note coming to the meeting. I need my (Spanish spoken) Albert, or maybe just, we did it (Spanish spoken). We did it.

MAYOR RODRIGUEZ: So Albert was -- he was a statesman to me. You know, everybody that comes here, we know we have a job to do. And sometimes we've known each other for decades, and sometimes you just meet the person. And I knew Albert as far as my haircuts went. You know, you sit down, and he made sure that you got a great haircut, you left with a smile, and it was a store and a chair. And to me, that was an awesome experience every time I went, and I thought it was just me. But if you sit around long enough, you notice that it's not just him. It's not just me. It's a tradition that he does with every customer. And now my sons go to Reggie, and you see the same thing. You know, it's something that just has been carried over in the family and it's a beautiful thing.

But when I worked with him here, you know, just like a -- Council Member Gamez said, he'll tell you, you know, hey, today item number four, this is the way I feel about it. I'm like, okay. What do you think, Juan? I say, well, we're not supposed to be talking about it. Because you know, there's laws that prohibit that, but you know this is what my gut tells me. And, you know, and okay. And sometimes we were in line, step on step, and sometimes we were on opposite ends.

But what he believed is what he believed. And if he was going to vote no on something, I guarantee you that was going to be a no that night. And if it was going to be a yes, it was going to be a yes. And he had no quorums after a meeting, if somebody was in the audience and didn't believe or didn't agree with him, to come to the side and say, hey listen, today we didn't agree, but this is why I voted the way I did. This is how I feel my

vote best benefited the residents of Tolleson. And so he took this job just like he took any other service job -- extremely serious. And our relationship here was really based on professionalism, on somebody who, you know, could go to Washington and speak just as clearly and as intimately about what he believed as he did here.

He was a statesperson who gave us an example of how to carry yourself and how to speak from the heart and represent the people that you care for the most without any reservations. And when some, sometimes, every once in a while, you know, some of us would get a little bit out of line, you could hear Albert, you know, and that was like, hey, calm it, you know, relax, take it easy. We're here all for the right reasons. And so I get to travel and, you know, because Cruzita was there sometimes, sometimes it was just me and him.

And we'd have some great times. I mean, I found out he does not like, he did not like Vietnamese food, [LAUGHTER]. But yet he tried it with me anyways, just because I kept bugging him. But he was just a really good friend. You know, he was a really good friend on a personal level, extremely professional here on the council. And you know, he was T-Town Al. He loved Tolleson. And that's something that we all have in common, and it's something that we will always have in common, and we'll take with us, you know, as we move forward. That example of how to be a great statesperson and how to truly love the people that you not only claim to represent, but you actually do, day in and day out, regardless of -- of what the outcome might be.

(Spanish spoken). I'm here to do a job and I'm going to, I intend to do it, and I'm going to do it, and I'll deliver it every single time. So I'll always be very grateful to him for that. So I'm going to, if it's okay, I'm going to ask Cruzita and Mike and Richard to come on up. You can come on up here or come on up here, wherever you want.

A couple of gifts. So first of all here's the proclamation that I read. Staff went ahead and framed three proclamations. So you can all each have a copy of Proclamation of Mr. Mendoza. Of course, I tried it. It doesn't open anything. It doesn't open any -- you can't go to Peace late at night, but it's an official key to the city.

MENDOZA: Thank you.

MAYOR RODRIGUEZ: And I'm personally jealous of this one. I'm going to be honest with you. Just so you guys know, when I retire, I want one of these official city. This is from our public works department?

BBABCHUCK: Of course.

MAYOR RODRIGUEZ: Public Works. Mr. Patrick, thank you very much for (indiscernible). Mr. Mendoza wave, pat him on the back, and we do have the picture and a ribbon. And so staff put this together and we were supposed to (indiscernible).

UNIDENTIFIED SPEAKER: It doesn't have batteries.

MAYOR RODRIGUEZ: It doesn't have batteries. But staff, do you guys want to explain? It's obviously -- he's supposed to be here today. He is here today with us.

UNIDENTIFIED SPEAKER: (Indiscernible).

MAYOR RODRIGUEZ: But the picture will remain.

MEDRANO: So in the past when we've had to endure such a tragedy, we've honored the council member, in this case, your dad, who we all adore, by placing their picture in front of the seat and leaving it vacant for six months along with a ribbon. So that's the least -- my council didn't hesitate. Certainly, no member of our team hesitated. It's the least the city can do to acknowledge the significant impact that he's had in the community in so many of our lives.

Thank you.

MAYOR RODRIGUEZ: Thank you for doing that. So it's going to stay here. This is our first meeting here, but we've been in city hall for, what do we say, since November? So we're going to honor the six months, of course. And so with that, we want to thank you guys for sharing Mr. Mendoza with us. He has been beyond of a pleasure to have known and worked with, and we've all been blessed and better for having him in our lives. And so thank you. Muchas gracias.

I will be asking for a moment of silence, but before I do, I want to give any family member or any member in the community that would like to speak say some words on behalf of council member Mendoza. You certainly can, Mike.

We have a podium right here. Just so you're as nervous as we are. [LAUGHTER].

MICHAEL MENDOZA: I'm Michael. I'm his oldest. Just from all of us, just thank you. He, like everybody said, he took this very serious he loved -- he loved being a council member. That was probably, you know, that I can remember just seeing him the most excited. He would come and he just loved being a part of it. And he, like you said, he took it very serious and it made us proud. Because, you know, knowing him growing up and then kind of see him on the council, I -- you would ask me when I was 10, if he would be a councilman. Like, no [LAUGHTER] I don't see it. But he took it very serious. And being a, you know, lifelong member of the community in Tolleson.

And you know, so I just, again, we just want to say thank you for allowing him and -- and welcoming him. And he would've loved this. I mean he would've soaked it all in. This is -- this is right up his alley right here, [LAUGHTER].

But yeah, thank you. I, you know, going back to when he first got, you know, his emergency and flew him over to Banner and within hours Chief Good and, you know, Reyes and many of you guys were there, like within hours of, I mean, we didn't even know what was going on and people were coming already. And it meant a lot to -- it meant a lot to us. And just, just thank you. I don't, I can't -- just, that's all I got to say. Just thank you for everything and I appreciated all this. Thank you.

RICHARD MENDOZA: In short, I just want to say thank you to everybody that -- in honoring my dad. He enjoyed serving the community in his words, excuse my language, (Spanish spoken). That was -- that was him. So thank you everybody. I really appreciate it. And thank you for everything. Okay.

MAYOR RODRIGUEZ: Well with that we're going to go ahead and we'll ask for a moment of silence. Thank you.

Everybody, now, I'm just going to be honest with you guys. This is where the meeting gets boring. Our official agenda's going to begin. So if you all had dinner plans or something to do, I mean, you're more than welcome to -- you're more than welcome to be here for the next hour. It's a great meeting. I'm going to try to make it as enjoyable as possible, as far as you can for a City Council Meeting. But if you have other plans, this would be a good time to find the door. Instead of feeling weird and sneaking out about

it.

CRUZITA: Thank you.

MAYOR RODRIGUEZ: Absolutely. Thank you all for coming.

BANDIN: Thank you.

MAYOR RODRIGUEZ: He didn't -- he brought a lot of feedback when it came to the design.

UNIDENTIFIED SPEAKER: Yeah.

MAYOR RODRIGUEZ: Yeah. Seeing it -- you've seen it.

ERIVES: Right here.

UNIDENTIFIED SPEAKER: Yeah.

ERIVES: Yeah, he's right here.

MAYOR RODRIGUEZ: Yeah. All right. Okay folks.

MAYOR RODRIGUEZ: So we're going to move on to final call to submit speaker request. All citizens and interested parties wishing to speak before the council regarding agenda items, non-agenda items, or during a public hearing shall participate via Zoom video conference or by submitting a speaker request form. Click the chat button and enter your name and the item you would like to address. Submissions should be made no later than the mayor announcing the final call to submit speaker request.

All speakers will be limited to three minutes on this, unless otherwise noted by the mayor. Right? It is now the final call to submit speaker request in the chat feature to the city clerk. All speakers, again, will be limited to three minutes.

City clerk, do we have any speakers?

SMYTHE: No, Mayor, we do not.

MAYOR RODRIGUEZ: Okay. Thank you. We're going to move on to call to the public. This is for non-agenda action items or non-agenda items. This is the time for public to comment on non-agenda items. Members of the council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to Arizona State Revised Statute, Special Series 38-431.01.H, actions taken as a result of public comments will be limited to one, responding to criticism, two directing staff to review the matter, or

three, asking that a matter be put on a future agenda item. So it is now called -- it is now time to call to the public.

City Clerk, do we have any?

SMYTHE: No, Mayor, we do not.

MAYOR RODRIGUEZ: All right. Scheduled public appearances and proclamations. We have two proclamations. We're going to start with the first one, proclamation declaring June 19th, 2023, as Juneteenth Freedom Day in the City of Tolleson, recognizing the importance of the celebration and encouraging citizens of Tolleson to reflect upon the values of freedom, reaffirm the universal -- universal principles of justice for all, and come together with the spirit of peace, respect, and brotherly love. I'm going to turn it over to Wendy Jackson, our employee resources director.

JACKSON: Good evening, Mayor and, and members of council. Juneteenth has been celebrated in the African-American community. The event remains unknown to many. It is the oldest celebration of the ending of slavery in the United States, and specifically celebrates the State of Texas and announcing the abolishment of slavery two years after the Emancipation of Proclamation. The holiday received its name by combining June and 19. The day is also sometimes called Juneteenth Independence Day, Freedom Day, or Emancipation Day. The holiday is time to come together and celebrate the history of African-Americans. We thank you for acknowledging this as a holiday here at the city.

MAYOR RODRIGUEZ: Thank you, Wendy Jackson -- Ms. Jackson. And I don't want to give too much credit to Texas. The reason Texas recognized it is because federal troops showed up in Texas forcing them to release all the slaves. So I always have to clarify that because somehow people think that Texas did something great. Texas was actually the last state of the union to declare slavery to be unlawful by force. But thank you. So -- there's no, place? Oh. Now therefore, I'm Mayor Juan Rodriguez do hereby proclaim June 19th, 2023 as Juneteenth Freedom Day in the City of Tolleson, be it proclaimed.

Right. We're going to move on to proclamation number two for the day. We're going to proclaim June, 2023 as LGBTQ+ pride month in the City of Tolleson, and recognizing and

celebrating the many ways in which the advancements, the discoveries and achievements of LGBTQ+ Americans have contributed to the history, culture, and social fabric of the nation and of the city of Tolleson by building acceptance, and advancing equal rights. Once again, I'm going to turn it over to our employee resource director, Wendy Jackson.

JACKSON: Good evening, Mr. Mayor and members of council. The month of June commemorates years of struggle for civil rights for the lesbian, gay, bisexual, transgender, and queer community. The first pride march took place in New York City on June 28th, 1970, on a one-year anniversary of the Stonewall Uprising. Today we commemorate an entire month dedicated to uplifting the LGBTQ voices, celebration of LGBTQ culture, and support of LGBTQ rights. In widely known six color flag, red is symbolic of life, orange is symbolic of healing, yellow is sunshine, green is nature, and blue represents harmony, and purple is the spirit.

MAYOR RODRIGUEZ: Thank you. Okay. So now therefore, I'm Mayor Juan F. Rodriguez do hereby proclaim June, 2023 as LGBTQ+ pride month in the City of Tolleson. Be it proclaimed.

Okay. So we're going to move on to business from the floor. Public hearings and action items. It's my understanding that the first two, we're just going to open up and then we're going to -- okay.

So public hearing number one, soliciting comments from interested parties in reference to site plan application number 23050001 as submitted by Mark Beck with Beck Consulting Engineering (sic), Inc., on behalf of the owner, Tolleson 70, LLC, for a semi-truck dealership and service center to be located at the southwest corner of 91st Avenue and Latham Street in Tolleson, AZ. The site is comprised of a portion of APN 102-53-361, is approximately 12 acres and is zoned Planned Area Development, also known as Vanguard Trucking Center. I will now open this for public hearing. And at the applicant's request, this public hearing is going to be continued to the City Council meeting scheduled on Tuesday, June 27th. Yeah? Okay. So will that require a motion for us to?

SMYTHE: Yes, Mayor.

MAYOR RODRIGUEZ: Okay. So we have a motion. Do we have a second? We have a second, Linda? All those in favor please signify by saying aye.

Mayor Rodriguez – Aye

Vice Mayor Bandin – Aye

Council Member Davis – Aye

Council Member Erives – Aye

Council Member Gamez – Aye

Council Member Laborin – Aye

All opposed?

SMYTHE: Excuse me, mayor, who made the motion?

MAYOR RODRIGUEZ: Motion? Council Member Gamez, and it was seconded by council member Laborin. I was about to say, give me a thumbs up.

ERIVES: Like, get used to it.

MAYOR RODRIGUEZ: Okay. We're going to move on to public hearing number two.

This is soliciting comments from interested parties in reference to Site Plan Application #23040001 as submitted by Tom Beck with Frank Civil Consulting, on behalf of the owner, Velocity Vehicle Group c/o Jason Shearer, for a new parking facility and future 8,000 square ft. recreational vehicle maintenance building to be located at the southeast corner of 99th Avenue and Roosevelt Street in Tolleson, AZ. The site, comprised of APNs 102- 53-328, 102-53-329, 102-53-333 and 102-53-335, is approximately 33 acres and zoned General Commercial (C-2). Also known as Velocity Trucking Parking Expansion.

I will now open up this public hearing. Again at the applicant's request this public hearing is going to be continued to the City Council meeting scheduled for Tuesday, June 27th. Do we have a motion? Okay, we have a motion to continue. We have a second. So in this one we're going to do council Vice Mayor Bandin, and we're going to do a second council member Gamez.

BANDIN: Okay. So I'm the first?

MAYOR RODRIGUEZ: Yeah, you're, you're the maker of the motion.

BANDIN: So I am moving to continue this public hearing and to postpone the approval of the site plan to the June 27th City Council meetings.

The second is also in agreement, so it is now tabled until the meeting. All those in favor say aye.

ALL: Aye.

MAYOR RODRIGUEZ: All those opposed? Motion passes unanimously. Meeting in person is going to take a little bit to getting used to.

MEDRANO: You're nailing, sir.

MAYOR RODRIGUEZ: We'll get there. Okay. Public hearing number three. This is a go? Okay. So public hearing number three for this evening soliciting comments from interested parties in reference to Use Permit Application #23040003 as submitted by Joshua Oehler with Arc One Associates, on behalf of the owner, Tire Shop Los Cuates, LLC/Miguel Hernandez, for an automotive tire and auto repair shop with eight service bays offering oil changes, tires, alignments, brakes, and light mechanical vehicle work to be located at the northeast corner of 99th Avenue and Washington Street, in Tolleson, AZ. The site, APN 101-05-974, is approximately 30,312 square feet and zoned General Commercial (C-2). Also known as Los Cuates Tire and Automotive Repair Shop. So I'm going to open up this public hearing. Mr. Jason Earp.

EARP: Thank you Mayor, members of the council. So this is -- this -- because it has automotive repair it requires a use permit. So right now we're not here, we're not at the site plan yet. That will come next if it's approved tonight. So this location is on 99th Avenue in Van Buren adjacent to Wolverine Way. So that whole commercial retail area from QT down, it'll be the most southern pad of this location. The -- representing the owner, I believe, they're on Zoom. It'd be Andy King with Arc One Associates. I believe the owners are also on the Zoom meeting and they're monolingual Spanish, so.

MAYOR RODRIGUEZ: Okay. I do -- I do have Andy King.

EARP: Okay. Mr. King will --

MAYOR RODRIGUEZ: Will -- Mr. King, did you want to speak on this, on this matter?

KING: Yes. Yes.

EARP: We could hear you.

KING: Okay, great. I'd like to thank the City of Tolleson, and I'd like to thank especially your support staff for quickly getting this together at the last minute, the revised site plan for us, and the revised plans to the city council. But yes, we are applying for a use permit for the automotive -- tire and automotive repair shop there, as you said, at the northeast corner of 99th and Washington there. And --

MAYOR RODRIGUEZ: Okay.

KING: Yeah, I mean, I'm open to any questions about the use of -- got a list of kind of what services are going to be offered and what's not going to happen.

MAYOR RODRIGUEZ: Yeah, we do have a number of questions whenever you're done with your presentation.

KING: Yeah, go ahead, please.

GAMEZ: Mr. Mayor?

MAYOR RODRIGUEZ: Turn it over to council Member Gamez.

GAMEZ: Mr. King, is it?

KING: Yes.

GAMEZ: I know it's early in the game, but do you have an idea of how many employees you you'll be hiring or employing?

KING: Yes. It's going to be approximately 8 to 13, maybe 10 to 15 employees.

GAMEZ: You think it will be mostly local individuals?

KING: Oh, yes. Yes, absolutely. Yes.

GAMEZ: Thank you. Thank you so much.

MAYOR RODRIGUEZ: Okay. Yeah, Mr. King, we also have a question from Council Member Davis.

DAVIS: My questions are a little bit more operational. Will -- so it says light mechanic work. So that -- will that mean any cars will be staying on the lot overnight?

KING: No, there will be no cars staying overnight.

DAVIS: Okay. So what type of light -- what does light mechanic work mean?

KING: Oh, it's going to be brake changes, battery work, tire rotation, tire balancing, brake inspections, fluid top-offs.

DAVIS: Okay.

KING: That type of thing.

DAVIS: Okay. So nothing super major. Okay. And no cars will be stored on the lot at all?

KING: That's correct. And there's going to be no body repair, nothing that's going to require vehicles to stay overnight.

KING: Okay. Thank you.

MAYOR RODRIGUEZ: Mr. King, this is Mayor Rodriguez. Just have a couple of comments and, you know, I like to speak, you know, from a point of just honesty and just being frank.

KING: Yes, sir.

MAYOR RODRIGUEZ: Number one, is there another business that you guys already have somewhere else, Los Cuates, that would be similar to what you're proposing here? Or is this the first of its kind?

KING: No, there is another Los Cuates. It is at the 59th and McDowell. And we are actually in the process of helping de Los Cuates at 59th get some site approval and some other work like this for the city of Phoenix. Trying to improve the site and bring everything up to compliance. And yes, we have a similar site.

MAYOR RODRIGUEZ: Okay. And the reason I ask that is because when I hear (Spanish spoken), my mind takes me somewhere very different. And you know, I'll be honest with you, we have a bunch of (Spanish spoken) here in the West Valley. Most of them are quasi junkyards.

KING: Yeah, no, yeah, go ahead. I'm sorry.

MAYOR RODRIGUEZ: And I heard eight bays, and I hear tires and, you know, I'm thinking rim selling, and I'm thinking minor mechanic. I'm trying to convince myself that this is going to be something that's going to be in line with the business. That's going to look professional. That's going to be -- I mean, I don't want to use other vendors that

are out there as an example, but something that's going to be clean, something that we're going to be proud of when people drive by it, there's not going to be an eyesore. It's going to be something that's going to be reflective of the pride of Tolleson.

KING: Yes, absolutely. And that is the plan. And there will be no outdoor tire storage. It's all going to be indoor. There's going to be -- we had to revise from the eight bays, and that's kinda why the employee count kind of went down from the 10 to 15 to eight to 13. We had to revise our plan to match up right to -- well to six bays. Three and three. So it's going to be six bays in total. And we had to revise our plan to match with the El Paseo master development and being next door to the QuikTrip and the El Paseo we are reaching a high bar of expectation with this automotive repair tire shop. This is, you know, this is intended to be a completely clean, professional, nice, enjoyable looking, enjoyable place, atmosphere all the way around for automotive and tire repair. Something to -- to bring pride to the City of Tolleson. Absolutely.

Okay. And as you know, this is a growth corridor. Everything going into that corridor is going to be new build.

KING: Right.

MAYOR RODRIGUEZ: So you know, just want to make sure that this is going to be in line with that.

KING: Yeah.

MAYOR RODRIGUEZ: I'm going to turn it over to our economic development director, and then I'll come back to council.

EARP: Thank you, Mayor. Members of council. And I believe Tony Francis, the developer is on the line somewhere, and he ensured me that they have CC&Rs. So that might be a question for him to make sure that he'll keep up with those CC&Rs and the way everything looks in that area.

KING: Yes.

MAYOR RODRIGUEZ: Yeah. I see Tony on here, but he's muted. And is this -- we'll go to council. Hold on. I see a -- some somebody's marking chat.

FRANCIS: Yes. So Mayor, Vice Mayor and members of council, can you hear me?

MAYOR RODRIGUEZ: Yeah. Is this Ted Wiggins? Tony. Okay, so go ahead, Tony.

FRANCIS: This is Tony. I want to make sure everybody can hear me.

MAYOR RODRIGUEZ: We can hear you.

FRANCIS: Oh, good. Okay. So yes, there are CC&Rs in place where you know, no vehicles or no tires or anything like that is left overnight. This is going to be a professional run operation where they will be doing, like he mentioned, tires and brakes and rims and whatnot. So I can assure you that there will be something in the -- there that are some things that are placed in the CC&Rs that will avoid them from doing those concerns that you guys have.

MAYOR RODRIGUEZ: Okay. Thank you. I'm going to turn it over to Council Member Davis.

DAVIS: Your other location you said is where?

KING: 59th and McDowell. And that's just a tire and limited auto. And that location is -- we're actually bringing that up to compliance with the City of Phoenix now. Now the history of that is, it goes back ways, but right now with this new owner and Los Cuates we're taking over, the plan is to take over the Circle K right there, where the old Waffle House was. That's where they currently are. And they want to expand and broaden and become a nice, professional place to bring your tires and light automotive repairs.

DAVIS: I think the current -- that location is a little bit of an eyesore. So you're saying that --

KING: Right, right. That's what we're -- yes. And we're, we are working at well, right now we're fixing that up right now. We're moving all the tires inside. There's going to be no outside tires. It's going through a whole new renovation right now as we speak.

DAVIS: Okay.

KING: Yes.

MAYOR RODRIGUEZ: All right. I have on the chat a Ted Wiggins. You guys seen that, or I have a question.

SMYTHE: Oh that's Jeffrey Vadal.

MAYOR RODRIGUEZ: All right. Well, I'm just going to close that out.

GAMEZ: Yeah. Have a question for our attorney.

MAYOR RODRIGUEZ: Yeah. So we have a question for our city attorney. Council Member Gamez.

GAMEZ: CC&Rs. Is that something normally associated with a business? I didn't know that that was possible.

PIERCE: CC&Rs are typically run with the land, and so that's not anything that the city controls are the CC&Rs.

GAMEZ: That was my point. So how do we police that other than the owners doing that?

PIERCE: I think you, well, you can police it through stipulations on the site plan when that comes forward. You could also do it, obviously as stipulation of the conditional use permit.

HOLLIDAY: Mayor, we do have the chat from Mr. Vadal as a question.

MAYOR RODRIGUEZ: Okay. So what do we do? We open up Mr. Vadal? Can you hear me? Mr. Vadal. I think the question is does this apply to semi-truck drivers?

VADAL: Yeah, that -- that was my question. Does this apply to semi-truck drivers?

PIERCE: So Mr. Mayor, so in the open meeting, or I'm sorry, the public meeting portion of this, it's for the public to be able to provide their input and such. It's not necessarily a time for question and answer for public. If you have questions, you can certainly ask --

VADAL: I didn't really ask, I didn't really ask for an opinion. I just want to know if it applies to semi-truck drivers or not.

PIERCE: Once again,

MAYOR RODRIGUEZ: Yeah, Jason, I mean. Does this apply to semi-truck drivers; it applies to semi-trucks or is it just for vehicles?

EARP: mayor members of the council, we have had no discussions of semi-truck. It's all been vehicles.

VADAL: No, I don't know. He seems kind of hesitant in that answer. I'm not sure.

KING: No, the intent is not for semi-truck drivers at this point. No.

MAYOR RODRIGUEZ: Okay. Thank you, Mr. King.

UNIDENTIFIED SPEAKER: (Indiscernible) is all.

MAYOR RODRIGUEZ: All right, Jeffrey. Well, that was the answer. It doesn't intend to service semi-truck. So with that, I'm going to turn it now that we have a public [LAUGHTER], and this is the public hearing. The public is welcome to ask questions or make comments on this. Jason.

EARP: Okay. Thank you, mayor. The last thing I'll just say is council member Gamez. Yeah. There's a lot of developments that do have CC&Rs. Like Mr. Tate in his development, he usually leases them out. He has CC&Rs, they have to have certain color on their building, keep the landscape up clean, you know, because he's the developer and he wants his property to look nice. So they're doing the same thing here. And like our attorney said, we can write it in into the site plan when they come. Because right now the site plan hasn't been approved by staff and this is just the use permit to allow them to go there. And then we'll look at their site plans, make sure they meet all the setbacks, colors, and then we can write it in into our stipulations to make it that it will -- something we can enforce.

MAYOR RODRIGUEZ: Okay.

GAMEZ: Makes sense.

PIERCE: So and so Mr. Mayor and Council Member Gamez to that point, I would probably say we haven't seen the CC&Rs, but as they've at least been described, I believe it would be appropriate if you moved to approve the conditional use permit to add the stipulation that the conditional use permit is subject also to them complying with the CC&Rs that as they've been described to you today, that way it would allow for, if --if something went haywire down the road, even after a site plan, it would provide you a way to revoke that conditional use permit.

KING: Yes. And we are very -- very acceptable to that. Yes, absolutely.

MAYOR RODRIGUEZ: Okay. I'm going to turn the floor over to council member at Evires.

EVIRES: I just have a quick question regarding location. I see 99th Avenue and Wolverine Way and then Washington, so is Washington Wolverine Way? Okay. Thank

you. Thank you.

MAYOR RODRIGUEZ: They both start with W. Just kidding.

EVIREZ: Washington. Yeah. Okay. Thank you. Yeah. And it'll be on that hard corner, correct. The way I understand. Okay. Thank you.

HOLLIDAY: Had question from Mr. Wiggins.

MAYOR RODRIGUEZ: Okay. Who would unmute them?

WIGGINS: Hello? Can you guys hear me?

MAYOR RODRIGUEZ: Yes.

WIGGINS: Hello. I just want to make a comment and I have a quick question. Number one, I just want to say thank you so much for addressing this topic. And number two, I want to ask if the site plan applies to the semi-truck drivers as well. I'm a little confused on that.

MAYOR RODRIGUEZ: If it applies to semi-truck what?

WIGGINS: The semi-truck drivers, sir.

MAYOR RODRIGUEZ: No, there's -- there's no semi-truck. The proposal sounds to me, based on what Mr. King has said, to be specific to vehicular traffic, not semi-trucks, but your standard trucks, vehicles and the sort.

WIGGINS: Okay. Thank you so much.

MAYOR RODRIGUEZ: You're very welcome.

VADAL: I just had another quick question. Does this affect my trucking route on Wolverine way?

MAYOR RODRIGUEZ: You know, I don't know. I'm not familiar with the trucking route or what rights you have on it or not. I would recommend that you contact Economic Development Director Jason Earp and then you can talk specifically about those items at that.,

MEDRANO: Mr. Mayor and members of the council, Wolverine Way is a private drive. There shouldn't be any private vehicles on it. Secondly -- what was I going to say? We had a really good idea and I forgot it.

MAYOR RODRIGUEZ: Well just to make it clear, any questions along those lines I'd refer

back to the economic development director.

MEDRANO: I do remember, I'm sorry. So with regard to -- I'm just doing this to reassure council. The site plan is completely under control. So you can approve it in a manner that if the question is whether that it could service diesel trucks, big trucks, at least at our level, we'd recommend against that.

MAYOR RODRIGUEZ: Okay. So I think we have the information that we need. council, do you have any other questions or comments?

DAVIS: I do agree that we should, they should not be allowed to service semi-trucks.

MAYOR RODRIGUEZ: And that certainly can be stipulated at this point as part of the action item if we move forward with it.

PIERCE: Right. And so if you've heard all the public comment and you can close the public hearing and then you can deliberate on that.

VADAL: Just one more public comment here.

MAYOR RODRIGUEZ: Okay, go ahead. Go ahead.

VADAL: Does 18 wheelers affect -- are affected in any way on this Wolverine Way? I'm still kind of confused on this.

MAYOR RODRIGUEZ: 18 wheelers are not going to be affected because this development is not going to service that.

VADAL: What about, so --

EARP: You could go.

MAYOR RODRIGUEZ: Okay. So public hearing, we're going to go ahead and close that.

WIGGINS: Wait, did someone, I think one other person had a question.

MAYOR RODRIGUEZ: Mr. Wiggins, is that you again?

VADAL: Yeah, I believe Mr. Wiggins had a question.

WIGGINS: Yes, sir. And I just wanted to clarify about the four wheelers as well. Same thing as 18 wheelers?

MAYOR RODRIGUEZ: Yeah. There, there should be no 18 wheelers involved with this development.

WIGGINS: Motorcycles.

MAYOR RODRIGUEZ: Oh, motorcycles. No, no. So that's out. Yeah. Our attorney's asking for timeout.

PIERCE: Yeah. This is a public hearing and but there needs to be decorum. For those that are involved or want to provide public comment, please wait for the mayor to call on you.

MAYOR RODRIGUEZ: All right, let's try this again. We're going to go with -- now they're muted?

UNIDENTIFIED SPEAKER: Yeah, I think their questions aren't even involved in the issue.

MAYOR RODRIGUEZ: Okay. Well, I'm going to take it as their questions have answered. I mean --

VADAL: Does this affect boats in any way?

PIERCE: That's fair, Mr. Mayor. They've been given an opportunity and obviously it -- it sounds like there's a lot of out of order here, so.

MAYOR RODRIGUEZ: Yeah. So let's go ahead and this public hearing has been closed. If anybody has any questions or comments, again, feel free to call City Hall and talk to our economic development department and they'll be more than happy to go over any of that information.

So with that being said, Mr. King, thank you very much for your input. We appreciate that.

KING: Yes, sir.

MAYOR RODRIGUEZ: And I'm going to turn it over to council. This hearing is closed. So does anyone have any comments or -- or would like to make an action on this item? I do have a comment if you all don't.

EARP: Yeah, Mayor, members of council. And if someone's going to make a motion to approve, I would make sure we include the stipulations of the CC&Rs and diesel trucks and no semi-truck. No diesel trucks. Yeah.

MAYOR RODRIGUEZ: Yeah. So before we, I'm sorry sir.

MEDRANO: Not diesel, but semi-trucks. Big trucks.

MAYOR RODRIGUEZ: Yeah. Semi-Truck. So before we go there, I feel I have to say this

because I started off with the whole (Spanish spoken) thing. I still have those reservations and the hard part about tonight's action item is that we're basically saying, yes, let's move forward with this, but we don't have any drawings, we don't have anything. And I'm sure all that stuff is coming. I understand that, and it just makes it that much harder to kind of visualize and picture what kind of business this is going to be.

But I do find a little bit of -- a level of comfort in the sense that the CC&Rs will be in place. I think CC&Rs are good, especially when a, a private business developer wants to bring in quality businesses to match other businesses in the same development. So we have some protection there. And then I think council has come up with pretty good stipulations that are going to help us keep this business where it needs to be. So with that I will entertain any last comments or a motion to be made.

GAMEZ: Okay. Mr. Mayor, I'll make a motion to be approved with the stipulations included the CC&Rs and not to have any semi-trucks being serviced there.

MAYOR RODRIGUEZ: Okay, so the motion's been made. Do we have a second? We have a second by council member Evires. Council member Evires, are you okay with all the stipulations?

EVIREZ: Yes. With all the stipulations? Yes. The CC&Rs? Yes, please.

MAYOR RODRIGUEZ: Okay. Well, with that I will ask for --

EVIREZ: No semis.

MAYOR RODRIGUEZ: I will ask for all those in favor say aye.

ALL: Aye. Aye.

MAYOR RODRIGUEZ: All those opposed? Okay. Motion passes unanimously.

KING: Thank you. Thank you, council.

MAYOR RODRIGUEZ: Okay. We're going to move on to public hearing number four, soliciting comments interested parties in reference to adopting the property tax levy for fiscal year 2024. This is for discussion only. Resolution number 2531 regarding the property tax levy will go before council for consideration at the meeting scheduled on

Tuesday, June 27th, 2023. I will now open this public hearing and turn this over to our Chief Financial Officer Artz.

Mr. Artz, you have the floor.

ARTZ: Good evening, Mayor and council. Yes, the public hearing tonight is for our property tax levy. As we've discussed at previous work sessions, there is no change to our property tax rate. We're maintaining the same rate that we have had in the prior fiscal year.

MAYOR RODRIGUEZ: So just to be clear, no change. The rate stays the same?

ARTZ: Your rate stays the same. Your assessed valuations may change. So your property tax may go up a little bit based on assessed valuations.

MAYOR RODRIGUEZ: By the county.

ARTZ: By the county, but what the city controls is the rate, and that is not changing.

MAYOR RODRIGUEZ: Awesome. I think that's a really good thing. And so thank you very much for all your hard work, all your staff's hard work. Council, you all have any comments? Anybody want to see the rate increase? No, I think we're all in agreement that that's a really good thing. So you are scheduled to come before us on the 27th?

ARTZ: Yes. We will bring this back for council's consideration on the 27th.

MAYOR RODRIGUEZ: Okay. Well, thank you very much, sir.

PIERCE: So, Mr. Mayor, this is a public hearing. It's also open to the public for you. So you call for if any member of public wants to comment on.

MAYOR RODRIGUEZ: Anybody in public like to make a comment on the rates, the property rates here in Tolleson? In case you didn't hear, they're not going anywhere. They're staying where they're at. So if there's an increase, it's not our fault. We did our job here locally, thanks to our CFO. Any comments? Any questions? Anything? No?

PIERCE: Mr. Mayor, it looks like there's somebody online who says they have a comment. And again, this is for -- this is for public comment, not for questions.

MAYOR RODRIGUEZ: Okay. So who's the person, Jeffrey? Okay. If you, if you have a public comment and you sent it in through a chat, please state your name and proceed.

VADAL: Jeffrey Vadal. I would like to see the rate increase personally.

MAYOR RODRIGUEZ: I'm sorry, I didn't -- did you guys --

UNIDENTIFIED SPEAKER: He wants to see the rate increase, sir.

VADAL: I would love to see the rate increase.

MAYOR RODRIGUEZ: Okay. I'm not -- I'm not hearing you a hundred percent, but as far as our CFO, our rates remain.

MEDRANO: He wants to go up, sir.

MAYOR RODRIGUEZ: Okay.

DAVIS: That's definitely someone hacking our meeting.

MAYOR RODRIGUEZ: Yeah, so whatever it is, our rates are staying the same here in Tolleson.

VADAL: All right, so this no way affects my trucking business, correct?

MAYOR RODRIGUEZ: I don't believe so, no. Okay. So that should close this one out.

PIERCE: Close the hearing. There's no action item on this, right?

MAYOR RODRIGUEZ: No action item on this one. And on number five, public hearing soliciting comments from interested parties in reference to Resolution No. 2530, adopting the City of Tolleson's annual budget for fiscal year 2024. I'm going to open floor up to, again, our CFO Artz. Public hearing is open.

ARTZ: Good evening, mayor and council. Again, this is a public hearing for the adoption of the final budget. The final budget has not changed since the tentative budget that you adopted back in May. And so the process here is to, to hold the public hearing. Once the public hearing's over, then we will go into a special meeting and then you'll have consideration of the final budget after that.

MAYOR RODRIGUEZ: So we're not going to be voting on it? It says here that we're going to take action on it.

ARTZ: In the special meeting. So once the public hearing is closed.

MAYOR RODRIGUEZ: Oh, got it.

ARTZ: Then we'll go into the special meeting, and then I have a presentation -- a short presentation on the budget.

MAYOR RODRIGUEZ: Okay. So it is now a public hearing. Any comments from council? Any members from the audience? Vice Mayor Bandin.

BANDIN: This is Vice Mayor Bandin. I just want to thank the finance department for a smooth transition for this year. Thank you very much for your work. It's nice to have a smooth transition with a new director. Thank you.

MAYOR RODRIGUEZ: Yes.

GAMEZ: Speaking of transition, I make a motion to go into special meeting.

MAYOR RODRIGUEZ: Okay. So we're going to go into -- so we have --

PIERCE: You'll close the public hearing first and then, and then you'll do that. It's okay, but.

MAYOR RODRIGUEZ: Well, just to make sure. I mean, we have a comment -- it's the same guy. Okay. And so I don't want somebody to say, well, we didn't give him an opportunity so --

PIERCE: So I think you can give him a brief opportunity to discuss the issue that is under the public hearing.

MAYOR RODRIGUEZ: Okay. We have a question from, I believe it's Jeffrey Vadal. Jeffrey, you have the floor. Going once, going twice. All right. We agree that we gave an opportunity. So I'm going to close this public hearing and then we're going to go into a special meeting.

BANDIN: Make a motion.

MAYOR RODRIGUEZ: We have a motion by Council Member Gamez. And we have a second from council member Erives all those in favor please say aye.

ALL: Aye. Aye.

MAYOR RODRIGUEZ: We are now in a special meeting.

ARTZ: Mayor, Council, we have the presentation.

MEDRANO: First presentation.

ARTZ: So before you, tonight is a resolution adopting the fiscal year 2024 final budget. This has been a culmination of a six-month process of staff putting together revenue projections and then working with all the departments in the city determining what the

needs are in each department and putting together a city manager recommended budget. That budget was presented to council at a couple of work sessions in April and May. That document had all of the details, every line item that is in the budget. So that information was presented to council back in May, council adopted the tentative budget, which sets our maximum expenditure limitation. And tonight, what is before you is the final budget. And again, there are no changes since the tentative budget. Just to quickly go through, maybe -- there we go. Just quickly to summarize what's in the budget. It was based on council's goals and priorities from the advance that council held, I believe, it was back in November or December timeframe.

And there was seven main goals and priorities with the first being deliver on the aquatic center. And so that project is included in this budget. There's 21 million of general obligation bonds, and we have 22 million of capital expenditures for the aquatic center. Item number or goal number two was raise awareness of the new transportation program. So field operations is actively promoting the micro transit and funds have been allocated for advertising and supporting that micro transit effort.

Item number three was parking solutions. We had originally included in there six and a half million dollars for construction of a parking garage. That may change. Now, it may be more of a lot instead of a garage. But the funding for that is in there at six and a half million dollars.

And then there was a goal for a bridge project, and we have six and a half million dollars included in this budget for two pedestrian bridges.

Goal number five was to maximize the enterprise funds, the water and wastewater treatment plant. We have over 19 million of our budget is for capital in our water, sewer, and wastewater treatment plant.

And then goal six was public health and safety. We have created the emergency preparedness department. So that is a department that was created to really focus on public health and safety and put our efforts towards that.

And then item seven was collaboration. And again, the process of putting this budget together was heavily involved with collaboration. Each department was involved in

submitting their budget request. We had a budget team that looked at all of the requests and determined what got funded and what didn't based on the financial resources that we have available.

Just real quickly for our different funds, again, total budget of \$188,769,614. Just some key takeaways. Again, the, the budget's \$188,000,023 million greater than the prior year. The Tolleson combined tax rate does not increase. The budget was focused on council's goals and priorities. So again, we looked at what your goals were and that's how we developed the budget for this year. The budget is structurally balanced with ongoing revenues covering ongoing cost. So again, just meaning that -- that those revenues that we can rely on are the revenues that we're using to pay for salaries and the ongoing cost of the city. And we've been very conservative in budgeting our revenues. We're aware that the economy is kind of in flux and up and down right now. So we were not extremely aggressive when we, budgeted for the revenues for this fiscal year.

And then the fund balance has a planned reduction. So we are planning on spending our fund balance down to get some of these capital projects completed. And so just so that the council is aware of that we are dipping into our savings or our fund balance to complete some of these capital projects for the year.

Again, there have been no changes from the tentative budget that you adopted in May. On June 27th, we'll come back with your -- for your consideration for the property tax levy. And with that staff recommends council approved Resolution 2530, adopting the final budget, and establishing the expenditure limitation for fiscal year 2024.

MAYOR RODRIGUEZ: Okay. Thank you very much, Director Artz. I will entertain a motion to adopt or deny Resolution No. 2530. Vice Mayor?

BANDIN: This is Vice Mayor Bandin. I move to adopt Resolution No. 2530 of the mayor and the council of the City of Tolleson, Arizona, adopting the final budget and establishing the expenditure limitation for the city of Tolleson for fiscal year 2024.

MAYOR RODRIGUEZ: Okay --

BANDIN: In the amount stated.

MAYOR RODRIGUEZ: Do we have a second? We have a second from council member Erives, and I believe this is a roll call. So I started with Clorinda earlier today. So I'm going to start with you, Jimmy. So options are to approve or deny.

DAVIS: Approve.

MAYOR RODRIGUEZ: Linda?

LABORIN: Approve

MAYOR RODRIGUEZ: Vice Mayor?

BANDIN: Vice Mayor approves.

MAYOR RODRIGUEZ: I approve.

GAMEZ: Yes.

ERIVES: Clorinda approves.

MAYOR RODRIGUEZ: All right. We have unanimous approval of the budget. Again, director, awesome job. Support staff, your entire team did a tremendous job. So thank you very much for your hard work.

MEDRANO: Congratulations.

MAYOR RODRIGUEZ: All right. Vice Mayor. Yeah. Now we're going to reconvene into a regular meeting. So do we have a motion to reconvene into a regular meeting?

GAMEZ: So moved. Vice Mayor and Council Member Gamez seconds. Did you get that city clerk?

SMYTHE: I did, sir.

MAYOR RODRIGUEZ: All right. So we are now back into a regular meeting.

All in favor say aye.

ALL: Aye.

MAYOR RODRIGUEZ: Now we're officially -- that was a unanimous. We're officially back in a regular meeting. We're going to move on to the consent agenda, action items. And I see items A through J. So if you haven't read them, please do so. Very important. And if you have, I will entertain a motion to approve the consent to action agenda item.

LABORIN: Motion to approve.

MAYOR RODRIGUEZ: We have a motion by council member Linda Laborin.

GOMEZ: Second.

MAYOR RODRIGUEZ: We have a second by Council Member Gomez. So all those in favor of approving the consent agenda action items, please signify by saying aye.

ALL: Aye.

MAYOR RODRIGUEZ: All opposed? All right. Consent agenda action item has been adopted. We're going to move on to regular agenda action items. Number one, adopt or deny Resolution No. 2533 of the Mayor and Council of the City of Tolleson, Arizona, adopting a public safety personnel retirement system, PSPRS Pension Funding policy to securely communicate the council's pension funding objectives, its commitment to its employees, and the sound final financial management of the city to comply with A.R.S § 38-863.01.

I'm going to call up our Chief Financial Officer. That was pretty fast. Mr. Artz, he's got a presentation to share with us this evening.

ARTZ: Thank you, Mayor and council. Staff is here tonight to present a resolution adopting our public safety personnel of pension funding policy. Arizona revised statute 38-863.01 does require that each municipality adopt a pension funding policy each year. The funding policy needs to include how to maintain stability of contributions, how and when the funding requirements will be met, and to define the funding target ratio. So the resolution before you tonight accomplishes all of those. It also requires that the governing body has to accept the employer's share of the assets and liabilities of each of the trust funds. So what I mean by that is we have two trust funds with the Public Safety Retirement System. The first one being for the police department. And in the police department, we have a little over \$16.1 million of assets, a little over \$18.4 million of liabilities. So we have a net unfunded actuarial liability of \$2.3 million. And our funded ratio, which is basically the first column divided by the second column, is 87.1 percent for the police department. On the fire side, we have \$18.9 million of assets, \$21.7 million of liabilities for an unfunded liability of \$2.8 million. And our funded ratio there is also 87.1 percent. So in total, we have a \$5.177 million unfunded liability. So meaning that we still have to contribute \$5 million more in assets until

we're 100 percent funded for both of our funds.

Just a little historical information. Going back five years, back in 2018, our liability was \$3.2 million, and we were 76 percent funded in the police department. So as you can see, over five years, that unfunded liability has gone down by over \$800,000. And our funding ratio has gone up from 76 percent to 87 percent in a five-year period for police. On the fire side back in 2018, we had a \$3.9 million liability, and we were 77 percent funded. So again, over, over the five-year period, we have reduced our liability by over \$1.1 million, and increased the funding ratio by over 10 percent.

So a couple of key takeaways required annual payments are being made from our operating, our ongoing revenue. So again, that's critical that our ongoing revenue can support our pension costs, because our pension costs are an ongoing cost or an expenditure to the city. The target date is to be 100 percent funded by 2036. This was done back in 2016, and you could select either a 20-year or a 30-year amortization. The city selected a 20 year, so that's why the target is to be a hundred percent funded by 2036. I believe, based on what council has done and continues to do, we will hit the 100 percent mark well before 2036.

The city has budgeted, and we've actually paid an additional \$2 million in the current fiscal year. So above and beyond our required contributions, the city has paid an additional \$2 million this year, and the budget that council just adopted included an additional \$2 million in next fiscal year. So that \$4 million has not been included in any of the numbers that we presented here tonight as far as our unfunded liability. The funded ratio has increased from 76 percent in police and 77 percent in fire to 87 percent. And the resolution and funding policy satisfy all of the requirements of the state statute. So staff recommends that council adopt this resolution, approving the PSPRS funding policy for this fiscal year.

MAYOR RODRIGUEZ: You know what, Director Artz? I'm going to open up to council. We have Vice Mayor, and then we have Mayor Davis.

BANDIN: This is Vice Mayor Bandin, and I'm in favor of adopting Resolution 2533. The city has been very responsible and aggressive in our unfunded payments, and I look

forward to having this paid off before 2036. Thank you.

DAVIS: When -- if the current trend continues, what, when do you think it'll be a hundred percent funded?

ARTZ: Mayor -- council member Davis, it's a little difficult because the actuarial report is based on several different assumptions. And so those can change significantly, but I do believe by -- I believe within five years, we will be close to that 98 to 100 percent funded ratio in just five.

DAVIS: Awesome. Awesome. Well, it's gone up quite a bit just in on the slide you showed. So we're getting there.

ARTZ: And the other thing that the city has done very well is we've got a great funded ratio, and we have not had to issue any debt to do that. A lot of other communities have paid off their unfunded liability, but all they've done is swap it with other debt. And the city of Tolleson has not had to do that. We've been able to fund it with the cash. And to have an 87 percent funded ratio at this point, I think, is a very strong position to be in.

MAYOR RODRIGUEZ: Well, I just wanted to add a couple of comments. I think sometimes we don't say everything that needs to be said, and I think it's important to note that the unfunded liability didn't start in Tolleson. This started probably at the state legislator many years ago. Decisions made by other people basically affected the pension systems that are directly linked to our police and firefighters, our public safety officers and every organization in the state was pretty much told you have enough liability. And how you responded to that is very unique. As you, as you mentioned, some cities have gone out and done a special election and created a bond system to use debt service to pay it off. Other cities have taken from other departments and come back to regular budget to make up the difference. Here in Tolleson, I think we've, first of all, taking the staff recommendation and very aggressively have made funding this public -- the public safety liability, a top priority.

You know, we can't have our police officer and firefighters responding to 9 1 1 calls when we need, when we need them the most, and the world is upside down. And then

turn around and tell them, oh, thank you for doing all that. But by the way, we're not -- we don't care enough about you to fund the liability where it needs to be so that someday you can have a pension that you were promised, by the way, when you were hired. And because of other people's decisions, it's now in jeopardy. So I'm very proud of the council. It's commitment to this, and I agree with everybody who has made comments that the commitment doesn't end because we're at 87 percent. We need to continue to move forward. We need to be aggressive. We need to show our public safety officers that we are just as committed to them and their families as they are committed to ours.

And so I think this is a great way of doing that. And so I think you all for your comments. And that's all I have to say about that. All right. So now I will entertain a motion. Anybody have their hands up? Anybody for approval?

MAYOR RODRIGUEZ: Okay. We have a motion to approve the policy. We have a second. Oh yeah. Council Member Gamez made a motion to approve. We have a second by Council Member Davis. So all those in favor please signify by saying aye.

ALL: Aye.

MAYOR RODRIGUEZ: All those opposed. All right. So again, council has shown courage and commitment to deliver on our promises to our employees in this particular case, public safety employees. And so, motion passes unanimously. Thank you for your presentation. Thank you.

ARTZ: Thank you.

MAYOR RODRIGUEZ: Okay, from the regular agenda action items, I'm going to move on to item number two, approve cooperative purchasing agreement, renewal between the city of Tolleson and DH Pace Company, Inc. for additional services and equipment on an as-needed basis for access control systems, intrusion systems, and closed circuit television for the city facilities, and authorize the city manager to execute and deliver set amendment. The city desires to increase the annual aggregate amount from \$350,000 to \$1 million for equipment and services. So I'm going to call up our IT director, Mr. Holliday. There you are.

HOLLIDAY: Thank you, Mayor. Members of council. Yes. This is a request to renew the purchasing agreement with DH Pace. They're the vendors that provide all of our physical security and surveillance. We have pushed off a lot of expenses while we were waiting for the construction of City Hall. The goal is to have one unified system across the whole city that we're able to manage in basically out of one pane of glass for access control and surveillance systems. A majority of this expense is to bring up wastewater and water facilities to meet federal and state regulations, and we hope that you approve this request.

MAYOR RODRIGUEZ: Okay. Thank you, Mr. Holliday. Any questions or comments from council? Yes, Vice Mayor.

BANDIN: Yes. Is this renewal for the '23-'24 fiscal year, starting July 1?

MAYOR RODRIGUEZ: Yes.

BANDIN: Okay. Thank you.

MAYOR RODRIGUEZ: Okay. My only comments is, you know, nobody really thinks about wastewater and water until the toilets don't flush and the water doesn't come out clean. And the reality is we need those facilities to be secure and to be operational. So this makes complete sense. I mean, we got fire, we got police, we got city hall, we got a bunch of city facilities. But to everyday folks living in their home, when they turn that tap on, they expect nice clean water to come out of it. So this will go a long way in allowing us to secure and make sure that those facilities stay operational. So thank you for your presentation, and I will entertain a motion to approve or deny.

GAMEZ: So moved.

MAYOR RODRIGUEZ: We got a motion by Vice Mayor -- I'm sorry, by council member Gamez. We had a second by Vice Mayor Bandin.

BANDIN: Can you include the date that this begins? It's not listed in the motion.

MAYOR RODRIGUEZ: The date is not listed. Are you okay with adding the dates?

HOLLIDAY: Yes.

MAYOR RODRIGUEZ: 2023 to 2024.

HOLLIDAY: That's great.

MAYOR RODRIGUEZ: You okay with that?

BANDIN: I agree, too.

MAYOR RODRIGUEZ: So both the maker and the second of the motion agree to add the date fiscal year 2023, '24. So with that being said, all those in favor, please signify by saying aye.

ALL: Aye.

MAYOR RODRIGUEZ: All those opposed? No nays. All right. The ayes have it. Motion passes unanimously. Thank you, sir.

All right. So with that, we're going to move on to work study, and presentations for discussion. We have a COVID-19 update. I'm going to call up chief preparedness officer Good?

GOOD: We have certification also for you as we normally do, and they'll get that up there. And here we go. And hopefully I can -- the button game here. Okay. So we always do a review of the data to show what we've done and, and where we're going. And just at the point when we think we're going to be out of the woods you know, we -- we keep moving, we keep looking and this is the date from May. And then we see and then moving on into -- oh, wrong direction. On into the most recent one, we see that our, our deaths are just down, but the cases go way back up again. So hard to understand why that is. So I don't think we're quite out of the woods yet, but we're getting there. We're getting over toward the edge of the woods.

This is something that, again, we focused on data as we try to make the best decisions we can for our community. We are looking at, there are 12 percent, 12 percent's a pretty dismal number, of the people in the county that are up to date with their vaccinations. So given that, and seeing that we are where we are in terms of the numbers and how they've dropped, that's pretty good.

Very surprising to see that number at 12 percent. We have continued to provide testing at Tolleson Veterans Park this past month of May. We did 525 tests, which has been about where we were at one point a few months ago. We were at 34, so it was really

slow out there. It's picked up again. We've had a number of outbreaks at warehouses, but they're clearly thinking that they're not out of the woods, so.

And then we had a vaccine clinic today over in the Lantana room, and we don't have the numbers yet for that. We'll have that for you at the next meeting. And then this is something that you just never know what to think about. But this is what they're saying. The next pandemic will be worse than the one we just went through for three years, while we weren't looking at each other for three years. So we don't know what that's going to look like, but that's what they're saying. And so we're keep -- we're not worried, but we're keeping an eye on it because we have to.

I wanted to mention a couple things about an event that was held last Thursday night on June 8th in our community room in this building, which is a great room for it. We had about 95 people present, and we had the nonprofits in the city that were invited.

There's the mayor with initial kickoff comments, and then the Trust Coalition, some different tables around. Council Member Erives with the Tolleson Women's Club and -- and Gamez -- Council Member Gamez, I'm sorry. And his table also Council Member Laborin was seated at that table, not in the picture, however. And then just numerous groups throughout the city. We had the Tolleson Teen Council. There's just a very heartwarming story about the response that they had where after the meeting, they came up and just couldn't even say hello. They said, we want to do this. They want to be involved. They want to make PSAs to take back to the schools, to say, hey, this is really important. Some of the data that we saw that night indicated that kids in 8th, 10th, and 12th grades were not even told about this issue. They didn't even know about it. And yet, we have people that are dying and many times due to counterfeit pills, not just people who are using drugs illegally.

Again the county had a very nice contingency out. And this is Janine Fowler from the county speaking to us. She's the number two. This is Dr. Cleaver from Banner Estrella Medical Center, who has worked with the (audio interference) in the past. She's been with us on Tolleson Talks several times, talking about a number of issues. And then just the room. You see our new fire chief in the back there. And then this is the Banner

Estrella contingency. Also, their CEO, Courtney Ophaug was there that night. So we have been asked again, that's the county table. We've been asked to participate in a forum in Goodyear as we look at how we're going to spend the -- the opioid settlement funds, which we have about \$1,600,000, which we will not take possession of until the year 2038.

So it's spread out over time. I know I've talked to Chief Mendoza about a different -- a couple different ideas. And we're, we're looking at how we might best spend those funds for our community. This is group from the county -- actually from MATFORCE, not the county. And they did a great presentation at a number of different folks, and they have some ideas which they're bringing to us, and that we hope to be implementing very soon.

This is a billboard that we now have up, this is running today on our digital billboards. And this is about how fentanyl comes in all different kinds of colors and how the cartels are making it look like candy. So it was a very powerful presentation, a lot of great information. I learned about a suicide number that I didn't know about that night. So I think a lot of people learned things. 988, I had no idea that that was a number people could call -- a three-digit number, but I learned about it that night, too. And then we're at the end of the presentation. I would be remiss if I didn't recognize our great staff who really helped put this together between Santiago and Randy and his crew and Pilar Public Affairs. We didn't even send out invitations. We filled that room. We had about 95 people there that night. We filled that room without even sending out invitations. We're developing next steps as we speak so that we can continue the momentum that was started that night and a little bit more formally than we had done in the past. So with that Mr. Mayor and council, I'd be happy to entertain any questions or comments

MAYOR RODRIGUEZ: Well, I think a couple of us have comments. Go ahead, Council Member.

GAMEZ: Thank you, Mayor. Just, I was looking at the billboard. Is there any way to incorporate that message at the high school, you know, their signs and the digital signs

there and at the elementary? Just to -- if they can do that, I don't know if they can do that or not. And if it's possible, just an idea.

GOOD: Mayor, and council member Gomez, that's a great idea. And we will look into that. And, and these types of conversations lead to other ideas. So we're looking at how we can reach the youth and different businesses and so forth. And that's a great idea, and we will definitely look into that starting tomorrow.

MAYOR RODRIGUEZ: I also had a comment. I was lucky enough to be at the event and I was just -- I was amazed. I mean, the amount of people that came out was a great turnout. You're right. It was a cross -- if you were to take a cross section of Tolleson that's what turned out. All the nonprofits for the most part were there. We have folks who have been impacted by this drug in a very negative way that were present. We had folks who have lost family members that spoke to us. The presentation was not designed to be, you know, fun and entertaining. It was designed to be kind of like, hey, this is what it is. Literally, fentanyl is a hundred times worse than what they give you in the hospital. When you're what's -- morph?

GOOD: Morphine?

MAYOR RODRIGUEZ: The morphine. And, you know, I've been on morphine because of procedures and that stuff is -- I mean, you go to a happy land like that and to be a hundred times stronger than that. Yeah. It's -- that's, it's crazy. I mean, I don't even know how it killed you. And they, they explained to you, you get so comfortable and your body just forgets to breathe. And that's why you die, because fentanyl is so strong that your body just -- it gives up and it doesn't even breathe for you anymore. And so that's how you die. I mean, what a terrible way to die. You know? And some folks, they don't even ingest it. They literally just touch it by accident, and it's, it's brought in through their pores and next thing you know, they collapse and there they are.

I thought that was very important for people to understand.

The other part too is Narcan. And I think -- no, I know that you all, especially you chief, have been doing some tremendous work with some community groups the schools, some of our departments to talk about Narcan and to talk about how you can save lives.

I mean, our goal here is not, and you know, I stated it that night, our goal isn't necessary to eliminate, you know, every drug off the street, because we want goals that we can attain. And so I think our number one goal is to save lives. And we saw some examples of where Narcan, you know, has done exactly that. And you want to get Narcan the closest to the person that's the user. So in some cases, whether we want to admit it or not, some of our family members, so to have Narcan in your house, and you have somebody go down because they're on opioids, and you're able to save their life, you know, that's one life that you saved.

Dr. Cleaver talked about there's people that come in and they're clinically dead. They're brought back to life. And a couple months down the road, they come back. And so now they've instituted a policy where I think it's great. They send them home with Narcan, you know. Now, obviously if they're overdosing, they can't give themselves Narcan, but if you're using opioids and you're in that circle, chances are you may be around other people that are also using, and maybe you can save a friend's life. And so, so on and so forth. I really like the policy where police departments are actually giving out pamphlets and Narcan when they come across somebody that potentially might be a user, have somebody in their vehicle that might be a user, and they give em Narcan right there.

And you never really know the full story because Narcan brings them back and then they go off and they run away, or they want to go get high again, whatever the case may be. But that's really, at the end of the day, what our goal is, is to try to save as many lives as possible.

So those stories that really talked about things that we can do today, are critical. You know, even talking about laws that protect us as citizens, if we do decide to use Narcan on somebody and the governor's recommitment to it, I think that's very important that people understand that. And to know that if somebody may be doing drugs or not, and they go down and you do Narcan on them, and it turns out that they were having some other kind of a medical emergency, Narcan doesn't negatively affect your body.

So if you accidentally use Narcan on somebody that you thought was overdosing and something else was wrong with them, you didn't cause them any harm. I mean, at worst, you saved their life. Well, no, at best you saved their life. At worst, you didn't cause them any harm. So it's common sense, but unless we talk about it and we have an honest discussion as a community, it's no sense because nobody's aware of it.

So this event was tremendous when it came to the amount of information that it delivered, the manner it was delivered in, and the fact that it took the information and just spread it throughout everybody. So kudos to you, too. I know you want to give kudos to everybody else. Great job, everybody. But chief, you did a tremendous job too. So I think all of you guys should get a round of applause. So I'm going to be quiet.

GOOD: Mayor, if I may, I'd like to mention that the departments, the police department, the fire department, do this virtually every day. They're giving Narcan and -- and the police department started doing it just probably five, six years ago. And they have saved so many lives because they typically get there first. They're already out on patrol, they're on the streets. Fire department is also going. And a lot of times, the way our system works, the Phoenix Fire Department might respond with Tolleson Police Department, but we get there first in certain parts of town. And our police department has probably saved 70 lives, I'm guessing over the years since they've been doing that, which is amazing. Fire has been doing it since Narcan was available. So they do it all the time also. So all their employees are trained, but we've also gone out and provided training to every department in the city. We haven't hit every employee because some of them are on vacation or sick or different shifts or whatever. But we're working on that. So it's not just the police and fire department who are saving the public. We're also providing the opportunity for the other employees in the city to have that training to save other employees or their families or friends. So I think that's been very important as well.

MEDRANO: Yes, your discussion with the businesses, (indiscernible)?

GOOD: Yes. We're also doing outreach mayor -- and thank you city manager, Medrano for that. And we are also doing outreach to businesses so that we can get that

information out there to them. We have our Narcan, Dr. Cleaver that night mentioned, and I've always said, we talked about it with the masks. So when we would get these donations of 20,000 masks. They don't do anybody any good when they're in a closet at city hall or at field operations. So our goal was always to get it out. We have lots of Narcan, we want to get the Narcan out there. It doesn't do any good. I have a lot in my office. We want to push it out. Dr. Cleaver talked about, push it out there, make it forward, make it available for people. Let's not make it a punitive thing. We're not trying to judge people, as you mentioned, we're trying to save lives.

So if we get that out there, then some of those other things, hopefully with some other support systems, people can address those for those that are using the drugs intentionally. But we still have the counterfeit drugs, which are being out there that night. Those of you who are there heard the story about Sherry, who lost her 16-year-old son to a counterfeit pill. So just thinking about that breaks your heart. And she was so positive. She inspired our kids. She inspired, I think, the whole audience that was there that night. And I would also like to thank you that we would not be able to do this, were it not for the support of this council and city management who has been supportive and sees how important this is to our community.

MAYOR RODRIGUEZ: Oh, thank you. Thank you everybody. And we did tie in -- we tied in SAPE too. We talked about SAPE and --

GOOD: We did.

MAYOR RODRIGUEZ: -- the programs that we were doing there. So it's only going to get, my hope is that it's only going to get better. The more we talk about it, the more we make people aware that Narcan is a great tool and if you need it, you don't have to go out and buy it, we'll give it to you. And the closer we get it to the users so I think so that people can use it, I think we'll have some good victories, just like the police and fire have already shown that we can, so thank you for that. And that's all the comments I have.

BANDIN: Thank you.

GAMEZ: I concur. It was fantastic. I have nothing but positive comments.

GOOD: It was, Council Member Gomez. Thank you. Appreciate your comments and your ongoing support.

GAMEZ: And the food was great.

GOOD: The food was good.

MEDRANO: Sure if I could, I event acknowledging it that we need to (indiscernible).

MAYOR RODRIGUEZ: Yeah. Great. And I know we were thinking about challenging Avondale to host the next event so we continue to get the word out, but it's just that Good here has already taken the initiative to do it, to host another event,

UNIDENTIFIED SPEAKER: (Indiscernible) But yes, we'll take it.

MEDRANO: All I heard was challenge Avondale.

MAYOR RODRIGUEZ: All right folks. Well with that -- City Manager, you have anything else for the (indiscernible)?

UNIDENTIFIED SPEAKER (Indiscernible) --

MAYOR RODRIGUEZ: (Indiscernible) 4th of July?

PIERCE: I'd like to hear about the 4th of July.

LOPEZ: Mayor, council, 4th of July's coming up. Of course, we have all the available (indiscernible) things are coming back for the first time in what, three years? New Destiny's going to be the band that's going to be (indiscernible) band like here many, many years ago. So should be coming back. And then we'll have water slides both in the baseball field and the multipurpose field as well. And then our watermelon cutting. So if you guys are good and ready on, cut some watermelon for the staff and Gatorade and the water will be out there as well. (Indiscernible) donations. So we'll be all out there.

MAYOR RODRIGUEZ: Awesome. How's the summer programs coming along?

LOPEZ: (Indiscernible) full. Registration is to capacity, so --

MEDRANO: I tried to get in, he put me on a wait list.

LOPEZ: And so it -- we're busy like all the time. 7:30 in the morning until seven o'clock at night. So it is been going well.

MAYOR RODRIGUEZ: Awesome. That's really good to hear. Vice Mayor?

BANDIN: Mr. Pierce, can I ask John Paul about the parking for the 4th of July?

PIERCE: Yeah.

BANDIN: So we've had problems in the past with parking at Via Verde and around the Tulsa Meadows area. So will we have our police presence there and our situation?

LOPEZ: Yeah, we'll have security again at those areas --

BANDIN: Okay. Okay.

LOPEZ: -- as well And then we'll have to open up the parking to the south of the park where they're doing the testing right now. So that'll be open for parking. So that should be --

BANDIN: Great. Thank you. Because I will be getting calls very soon from the community. Thank you. Thank you.

MAYOR RODRIGUEZ: We also got flyers into Tolleson Farms about the fireworks.

UNIDENTIFIED SPEAKER: Fireworks, yeah.

MAYOR RODRIGUEZ: That kind of stuff. So that reminds me a couple years ago, I think it was your brother, as a matter of fact, who suggested that we talk to local businesses and lots that have wild weeds that are dry to try to prevent any kind of fire from happening because of the fireworks or for that matter, little kids doing fireworks in their backyard.

GAMEZ: We had, we had that happen about three years ago. A neighbor got the threw off one and got our property over on fire.

UNIDENTIFIED SPEAKER: (Indiscernible).

UNIDENTIFIED SPEAKER: Yeah, you sure did.

BANDIN: Palm Tree at the end of the street. That happens.

MAYOR RODRIGUEZ: It's pretty scary.

UNIDENTIFIED SPEAKER: That was scary.

MAYOR RODRIGUEZ: It's pretty scary, but more than scary, it's preventable. So let's get the word out there and get these property owners to clean up their lots.

So with that, the last comment I have today is I want to thank staff for everything that they did to commemorate Albert's memory and our brother in council here. And I think

it meant a lot to -- it meant a lot to us. I know it meant a lot to some of you, also. But I think more than anything, it meant a lot to the families and you know, that means a lot. You know, we want to make sure that not only as a person honored for everything that he's done as part of our team, but that the family walks away and has a sense of gratitude and that they truly shared him with us and we're all better because of it. So thank you for all your work on that.

BANDIN: Thank you. Thank you.

MAYOR RODRIGUEZ: I will entertain a motion to adjourn the first meeting in our new city council chamber.

GAMEZ: Oh my God.

BANDIN: I second

MAYOR RODRIGUEZ: We have a second. So Council Member Gamez, Vice Mayor Lupe, seconded it. And all those in favor signify by saying aye.

ALL: Aye.

MAYOR RODRIGUEZ: Motion moves.

UNIDENTIFIED SPEAKER: Thank you.

MAYOR RODRIGUEZ: Thanks everybody.

UNIDENTIFIED SPEAKER: Good job, everybody.

APPROVED:

JUAN F. RODRIGUEZ, MAYOR

ATTEST:

MICHELLE SMYTHE, DEPUTY CITY CLERK

CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING MINUTES ARE A TRUE AND CORRECT COPY OF THE MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF TOLLESON, ARIZONA, HELD ON JUNE 13, 2023. I FURTHER CERTIFY THAT THE MEETING WAS DULY CALLED AND HELD, AND THAT A QUORUM WAS PRESENT.

MICHELLE SMYTHE, DEPUTY CITY CLERK



CITY COUNCIL REPORT

Meeting Date:

June 27, 2023

Action Item:

b.

☒ Consent ☐ Work Study

☐ Regular ☐ E-Session

☐ Business from the Floor

Type of Action:

☐ Resolution

☐ Ordinance

☒ Other

Claims and Bills
Report

Subject:

Approve Claims and Bills Report
for the period of June 7, 2023 to
June 20, 2023.

Budget Impact:

Expense ☐ Revenue ☐

\$

Budgeted ☐ Contingency ☐

Grant ☐ Other ☒

Department:

Finance

Action Recommended by:

Kevin Artz, Chief Financial Officer

Reviewed by Reyes Medrano Jr., City Manager ☒

Purpose: Each Council Meeting, the Finance Department shall prepare a list of all claims paid by the City. The list shall be reviewed and approved when required by the Council, and a copy of it shall be included in the minutes.

Background/Discussion: The Claims and Bills Report includes vendor payments between \$10,000 to \$50,000, as well as payments over \$50,000, for the period noted above.

Recommendation: Staff recommends the City Council approve the Claims and Bills Report for the period of June 7, 2023 to June 20, 2023.

City of Tolleson

Checks Recorded

Check Dates: Between Jun 7, 2023 12:00 AM and Jun 20, 2023 11:59 PM

PAYMENTS OVER \$50,000

| Vendor Name | Check Number | Check Date | Transaction Description | Transaction Amount |
|-------------------------------------|--------------|------------|-----------------------------|--------------------|
| J.A.R. CAPITAL GROUP, INC. | 176380 | 06/07/2023 | CMD VAN REMODEL | \$137,127.79 |
| LOGICALIS, INC. | 176390 | 06/07/2023 | FY23 COMPUTER REFRESH/MAINT | \$119,559.83 |
| DH PACE COMPANY, INC. | 176451 | 06/14/2023 | SECURITY SYSTEMS | \$73,973.28 |
| FELIX CONSTRUCTION COMPANY | 176459 | 06/14/2023 | REPAIRS/REHABS | \$61,404.19 |
| FSL HOME IMPROVEMENTS | 176461 | 06/14/2023 | HOUSING REHAB PROGEAM | \$81,370.14 |
| REGIONAL PUBLIC TRANS. AUTHORITY | V2994 | 06/07/2023 | FY23 PUBLIC TRANSIT SVC | \$54,377.29 |
| AZ PUBLIC SAFETY RETIREMENT, FIRE | V2995 | 06/08/2023 | FY23 UNFUNDED PAYMENT | \$500,000.00 |
| AZ PUBLIC SAFETY RETIREMENT, POLICE | V2996 | 06/08/2023 | FY23 UNFUNDED PAYMENT | \$500,000.00 |

PAYMENTS FOR \$10,000 - \$50,000

| Vendor Name | Check Number | Check Date | Transaction Description | Transaction Amount |
|--------------------------------|--------------|------------|---------------------------|--------------------|
| ARIZONA RENTALS | 176351 | 06/07/2023 | WHOOPEE DAZE FEST2023 | \$11,335.67 |
| ARROWHEAD PUMP AND SUPPLY, LLC | 176353 | 06/07/2023 | 3W FILTER | \$14,749.05 |
| BUSTAMANTE & KUFFNER, PC | 176359 | 06/07/2023 | MULTIPLE TRANSACTIONS | \$14,250.00 |
| DH PACE COMPANY, INC. | 176368 | 06/07/2023 | MULTIPLE TRANSACTIONS | \$11,270.40 |
| MARKHAM CONTRACTING CO., INC. | 176391 | 06/07/2023 | LATHAM REPAIR WORK | \$49,365.17 |
| MIDSTATE MECHANICAL LLC | 176394 | 06/07/2023 | EVAPORATIVE COOLERS | \$43,927.00 |
| SOLENI, LLC | 176411 | 06/07/2023 | FY23 CHEMICAL USE | \$35,581.04 |
| TYLER TECHNOLOGIES, INC. | 176418 | 06/07/2023 | MULTIPLE TRANSACTIONS | \$15,241.92 |
| AMAZON CAPITAL SERVICES, INC. | 176432 | 06/14/2023 | MULTIPLE TRANSACTIONS | \$14,472.42 |
| ARIZONA BOUNCE AROUND, INC. | 176433 | 06/14/2023 | SEP.2021-MAY.2023 21M | \$15,508.08 |
| ARIZONA STATE TREASURER | 176436 | 06/14/2023 | MULTIPLE TRANSACTIONS | \$13,958.51 |
| BROWN AND CALDWELL | 176444 | 06/14/2023 | OPERATIONAL SUPPORT | \$31,059.65 |
| DAGGETT CONTROL COMPANY LLC | 176450 | 06/14/2023 | WASTE GAS BURN & DISGESTE | \$11,706.50 |
| NEW DPC ENTERPRISES, L.P. | 176452 | 06/14/2023 | MULTIPLE TRANSACTIONS | \$23,037.96 |
| WOLSELEY INVESTMENTS, INC. | 176460 | 06/14/2023 | JOB# 96THAVE TAYLOR S | \$18,566.54 |
| KROHNE, INC. | 176472 | 06/14/2023 | METER UPGRADES | \$14,877.17 |
| MUNICIPAL EMERGENCY SERVICES | 176482 | 06/14/2023 | SNAP-CHANGE CYLINDERS | \$23,537.85 |
| PUMP PROS OF AZ, LLC | 176484 | 06/14/2023 | PUMP FSTF #4 PUMP | \$11,377.62 |
| STERLING COMPUTERS CORPORATION | 176495 | 06/14/2023 | FY23 COMPUTER SUPPLIES | \$11,689.95 |
| WACO, LLC | 176511 | 06/14/2023 | MULTIPLE TRANSACTIONS | \$31,220.40 |
| WILLDAN ENGINEERING | 176512 | 06/14/2023 | PLAN REVIEWS | \$13,367.50 |
| WORKPLACE SAFETY SPECIALISTS | 176513 | 06/14/2023 | MULTIPLE TRANSACTIONS | \$10,152.50 |
| CITY OF TOLLESON-MEDICAL | V2997 | 06/14/2023 | MULTIPLE TRANSACTIONS | \$11,233.48 |



CITY COUNCIL REPORT

Meeting Date:

June 27, 2023

Action Item:

c.

☒ Consent ☐ Work Study

☐ Regular ☐ E-Session

☐ Business from the Floor

Type of Action:

☐ Resolution

☐ Ordinance

☒ Other

COLA

Subject:

Approve Cost of Living Adjustment (COLA) for the contracted positions of City Magistrate and City Manager up to 3% for Fiscal Year 2024.

Budget Impact:

Expense ☒ Revenue ☐

\$

Budgeted ☒ Contingency ☐

Grant ☐ Other ☐

Department:

Employee Resources

Action Recommended by:

Wendy Jackson, Employee Resources Director

Reviewed by Reyes Medrano Jr., City Manager ☒

Purpose: The Employee Resources Department is requesting approval of a Cost of Living Adjustment (COLA) for the contracted positions of City Magistrate and City Manager up to 3% for Fiscal Year 2024.

Background/Discussion: ER Director Jackson requested FY 24 budgetary authority for COLA increases up to 3%, effective July 1, 2023, for employees. According to the US Bureau of Labor Statistics, over the last 12 months, all items index increased 4%. The two positions are that not eligible for a COLA increase due to contract language are Magistrate and City Manager. The Employee Resources Director is requesting to extend the COLA increases for the two contracted positions for FY 24.

Recommendation: Staff recommends the City Council approve the Cost of Living Adjustment (COLA) for the contracted positions of City Magistrate and City Manager up to 3% for Fiscal Year 2024 to align with the same increase requested for City of Tolleson employees.



CITY COUNCIL REPORT

| | | |
|--|---|--|
| <p>Meeting Date: June 27, 2023</p> <p>Action Item: d.</p> <p><input checked="" type="checkbox"/> Consent <input type="checkbox"/> Work Study <input type="checkbox"/> Regular <input type="checkbox"/> E-Session <input type="checkbox"/> Business from the Floor</p> | <p>Type of Action:</p> <p><input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Other</p> <p>CFO Designation</p> | <p>Subject:</p> <p>Adopt Resolution No. 2537 designating the Chief Fiscal Officer for officially submitting the Fiscal Year 2024 Expenditure Limitation Report to the Arizona Auditor General.</p> |
| <p>Budget Impact:</p> <p>Expense <input type="checkbox"/> Revenue <input type="checkbox"/></p> <p>\$</p> <p>Budgeted <input type="checkbox"/> Contingency <input type="checkbox"/> Grant <input type="checkbox"/> Other <input checked="" type="checkbox"/></p> | <p>Department: Finance</p> <p>Action Recommended by: Kevin Artz, Chief Financial Officer</p> | |
| <p>Reviewed by Reyes Medrano Jr., City Manager <input checked="" type="checkbox"/></p> <p>Purpose: Consideration of Resolution 2537 for the designation of the Fiscal Year 2024 Chief Fiscal Officer for the City.</p> <p>Background/Discussion: Arizona Revised Statutes §41-1279.07(E) requires the governing body of each political subdivision to provide the name of the chief fiscal officer (CFO) designated to officially submit the annual expenditure limitation report (AELR) to the Arizona Auditor General, by July 31 of each year.</p> <p>The Resolution designates Kevin Artz as the CFO for the City of Tolleson.</p> <p>Recommendation: Staff recommends the City Council adopt Resolution No. 2537 of the Mayor and Council of the City of Tolleson, Arizona, designating the Chief Fiscal Officer for officially submitting the Fiscal Year 2024 Expenditure Limitation Report to the Arizona Auditor General. Mayor and Council desire to designate Chief Financial Officer Kevin Artz as the Chief Fiscal Officer.</p> | | |

RESOLUTION NO. 2537

**A RESOLUTION OF THE CITY OF TOLLESON, ARIZONA MAYOR AND COMMON COUNCIL,
DESIGNATING THE CHIEF FISCAL OFFICER FOR OFFICIALLY SUBMITTING THE FISCAL YEAR 2024
EXPENDITURE LIMITATION REPORT TO THE ARIZONA AUDITOR GENERAL**

RECITALS:

WHEREAS, A.R.S. §41-1279.07(E) requires each county, city, town, and community college district to annually provide to the Arizona Auditor General by July 31 the name of the Chief Fiscal Officer the governing body designated to officially submit the current year's annual expenditure limitation report (AELR) on the governing body's behalf; and

WHEREAS, the City of Tolleson Mayor and Council desires to designate Kevin Artz, as the City's Chief Fiscal Officer.

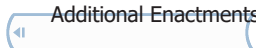
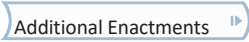
WHEREAS, Entities must submit an updated form and documentation for any changes in the individuals designated to file the AELR.

ENACTMENTS:

NOW THEREFORE BE IT RESOLVED BY THE CITY OF TOLLESON MAYOR AND COUNCIL as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. Kevin Artz is hereby designated as the City's Chief Fiscal Officer for purposes of submitting the fiscal year 2024 AELR to the Arizona Auditor General on the governing body's behalf.

 SECTION 3. The Mayor, City Manager, City Clerk and City Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Resolution. 

PASSED AND ADOPTED by the City of Tolleson, Arizona Mayor and Council, this 27th day of June, 2023.

Attested to:

Juan F. Rodriguez, Mayor

Crystal Zamora , City Clerk

Reviewed by:

Approved as to form:

Reyes Medrano Jr., City Manager

Justin Pierce, City Attorney



CITY COUNCIL REPORT

| | | |
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| <p>Meeting Date: June 27, 2023</p> <p>Action Item: e.</p> <p><input checked="" type="checkbox"/> Consent <input type="checkbox"/> Work Study <input type="checkbox"/> Regular <input type="checkbox"/> E-Session <input type="checkbox"/> Business from the Floor</p> | <p>Type of Action:</p> <p><input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Other</p> <p>Intergovernmental Agreement</p> | <p>Subject:</p> <p>Adopt Resolution No. 2538 approving the Intergovernmental Agreement between City of Tolleson and Tolleson Union High School District No. 214 relating to services of School Resource Officers (SRO).</p> |
| <p>Budget Impact:</p> <p>Expense <input type="checkbox"/> Revenue <input type="checkbox"/></p> <p>\$</p> <p>Budgeted <input type="checkbox"/> Contingency <input type="checkbox"/> Grant <input type="checkbox"/> Other <input checked="" type="checkbox"/></p> | <p>Department: Police</p> <p>Action Recommended by: Rudy Mendoza, Police Chief</p> | |
| <p>Reviewed by Reyes Medrano Jr., City Manager <input checked="" type="checkbox"/></p> <p>Purpose: Consideration of Resolution No. 2538 of the Mayor and Council of the City of Tolleson, Arizona, approving the Intergovernmental Agreement between City of Tolleson and Tolleson Union High School District No. 214 relating to services of School Resource Officers (SRO).</p> <p>Background/Discussion: The City of Tolleson and the Tolleson Union High School District No. 214 desire to enter into an Intergovernmental Agreement for Tolleson Union High School and University High School, 9419 West Van Buren, Tolleson, Arizona, 85353. the City will provide a sworn, certified police officer to provide school resource officer services at TUHS and UHS during the 2023-2024 school year. The term of this Agreement shall be from July 27, 2023 until the end of the school year on May 24, 2024, and tentatively for one month in June 2024 for summer school. The District shall reimburse the City for up to \$132,400 of the Tolleson Union High School SRO costs and up to \$132,400 of the University High School SRO costs incurred during the 2024 Fiscal Year.</p> <p>Recommendation: Staff recommends City Council adopt Resolution No. 2538 of the Mayor and Council of the City of Tolleson, Arizona, approving the Intergovernmental Agreement between City of Tolleson and Tolleson Union High School District No. 214 relating to services of School Resource Officers (SRO), and authorize the City Manager to execute and deliver said Agreement.</p> | | |

RESOLUTION NO. 2538

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TOLLESON, ARIZONA, APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF TOLLESON AND TOLLESON UNION HIGH SCHOOL DISTRICT NO. 214 RELATING TO SERVICES OF SCHOOL RESOURCE OFFICERS.

WHEREAS, the City of Tolleson ("City") and the Tolleson Union High School District No. 214 ("District") desire to enter into an Intergovernmental Agreement ("Agreement") for Tolleson Union High School ("TUHS") and University High School ("UHS"), 9419 West Van Buren, Tolleson, Arizona, 85353; and

WHEREAS, the City will provide a sworn, certified police officer to provide school resource officer services at TUHS and UHS during the 2023-2024 school year.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TOLLESON, ARIZONA, as follows

Section 1. The recitals above are hereby incorporated as if fully set forth herein.

Section 2. The term of this Agreement shall be from July 27, 2023 until the end of the school year on May 24, 2024, and tentatively for one month in June 2024 for summer school. The District shall reimburse the City for up to \$132,400 of the TUHS SRO costs and up to \$132,400 of the UHS SRO costs incurred during the 2024 Fiscal Year.

Section 3. The Agreement between the City and the District relating to services of a school resource officer during the 2023-2024 school year is hereby approved substantially in the form attached hereto as Exhibit A and incorporated herein by reference.

Section 4. The Mayor, City Manager, City Clerk and City Attorney are hereby authorized and directed to take all steps necessary to cause the execution and delivery of this Agreement and to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Mayor and Council of the City of Tolleson, Arizona, on this 27th day of June, 2023.

Juan F. Rodriguez, Mayor

ATTEST: _____
Crystal Zamora, City Clerk

APPROVED AS TO FORM: _____
Justin Pierce, City Attorney

EXHIBIT A

TO

RESOLUTION NO. 2538

[Intergovernmental Agreement]

See following pages.

**INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF
TOLLESON AND
TOLLESON UNION HIGH SCHOOL DISTRICT NO.
214 FOR
SERVICES OF SCHOOL RESOURCE
OFFICERS**

This Intergovernmental Agreement (“Agreement”) is entered into this 27th day of June, 2023, by and between the City of Tolleson, a municipal corporation (“City”), and the Tolleson Union High School District No. 214 (“District”), for Tolleson Union High School (“TUHS”) and University High School (“UHS”), 9419 West Van Buren, Tolleson, Arizona, 85353, a political subdivision of the State of Arizona. (City and District are referred to herein individually as a “Party” and collectively as the “Parties”).

RECITALS

- A. The District has funding available through the School Safety Program Grant to fund school resource officer services (“SRO Services”) for Tolleson High School (“School”) and University High School (“School”).
- B. The City and the District desire to enter into an agreement whereby the City will provide a sworn, certified police officer to provide SRO Services at TUHS and UHS during the 2023-2024 school year (the “School Year”).
- C. The District is authorized to enter into the Agreement pursuant to A.R.S. §§ 15-342 and 11-952.
- D. The City is authorized to enter into this Agreement pursuant to A.R.S. § 11-952.

AGREEMENT

Now, therefore, in consideration of the foregoing recitals, which are incorporated herein by reference, the following mutual covenants and conditions, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **General Terms and Conditions**

- a. **Term.** The term of this Agreement shall be from July 27, 2023 until the end of the School year May 24, 2024, and tentatively for one month in June 2024 for summer school.
- b. **Relationship of Parties.** City shall have the status of an independent contractor for the purpose of this Agreement. The School Safety Officer (“SRO”) assigned to the School shall be considered an employee of the City and shall be subject to its control and supervision. The SRO will be subject to the current procedures in effect for police officers of the Tolleson Police Department (“TPD”), including attendance at all mandated training and testing to maintain police

officer certification. The City, and not the District, shall determine the time of its performance of the SRO Services agreed to in this Agreement, so long as it complies with the scope of work set out in this Agreement in Section 2 and all of its subparagraphs. This Agreement is not intended to, and will not constitute, create, give rise to, or otherwise recognize a joint venture, partnership, or formal business association or organization of any kind between the Parties, and the rights and obligations of the Parties shall be only those expressly set forth in this Agreement. The Parties agree that no person supplied by the District to accomplish the goal of this Agreement is a City employee and no rights under City civil service, retirement, or personnel rules accrue to any such person. The District does not have the authority to supervise or control the actual work of the City, its employees, or its subcontractors.

- c. Chain of Command and Channels of Communication. The Principal or Principal's designee will communicate directly with the SRO's commanding officer about any issues or concerns involving the SRO. If there is an issue that cannot be resolved between the Principal or designee and the commanding officer, the District's Director Grants and Federal Programs will communicate with the commanding officer or his/her superiors, as determined appropriate by the City.
- d. Coordination of Processes to Address Student Misconduct. The Parties will work together to identify and streamline any separate processes for investigating and responding to acts of student misconduct that may also implicate criminal misconduct.
- e. Records. Parties shall maintain the records required in this Agreement for a period of three years after the termination of this Agreement.
- f. Program Continuation Subject to Appropriation. The provisions of this Agreement for payment of funds by the District shall be effective when funds are appropriated for purposes of this Agreement and are actually available for payment. The obligation of the District to make any payment pursuant to this Agreement is a current expense of the District, payable exclusively from such annual appropriations, and is not a general obligation or indebtedness of the District. If the Governing Board of the District fails to appropriate money sufficient to pay the reimbursements as set forth in this Agreement during any immediately succeeding fiscal year, this Agreement shall terminate at the end of the then-current fiscal year and the City and the District shall be relieved of any subsequent obligation under this Agreement.

The District shall reimburse the City for up to \$132,400.00. of the TUHS SRO costs and up to \$132,400.00 of the UHS SRO costs incurred during the 2023-2024 fiscal year (including SRO's compensation [hourly pay rate plus actual cost of employer-paid benefits]). The City shall be responsible for any and all SRO's costs in excess of \$132,400.00 incurred during the 2023-2024 fiscal year.

The City is obligated only to pay its obligations set forth in this Agreement as may lawfully be made from funds appropriated and budgeted for that purpose

during the City's then current fiscal year. The City's obligations under this Agreement are current expenses subject to the "budget law" and unfettered legislative decision of the City concerning budgeted purposes and appropriation of funds. Should the City elect not to appropriate and budget funds to pay its Agreement obligations, this Agreement shall be deemed terminated at the end of the then current fiscal year term for which such funds were appropriate and budgeted for such purpose and the City shall be relieved of any subsequent obligation under this Agreement. The parties agree that the City has no obligation or duty of good faith to budget or appropriate the payment of the City's obligations set forth in the Agreement in any budget in any fiscal year other than the fiscal year in which the Agreement is executed and delivered. The City shall be the sole judge and authority in determining the availability of funds for its obligations under this Agreement. The City shall keep the District informed as to the availability of funds for this Agreement. The obligation of the City to make any payment pursuant to this Agreement is not a general obligation or indebtedness of the City. The District hereby waives any and all rights to bring any claim against the City from or relating in any way to City's termination of this Agreement.

g. Termination. Either Party may terminate this Agreement upon thirty (30) days prior written notice to the other Party at the addresses indicated below. Five (5) days after the District fails to make reimbursements as required by this Agreement, the City may terminate this Agreement by delivering ten (10) days written notice to the District. The District may terminate this Agreement immediately should the School Safety Grant funding became unavailable for any reason. The District further has the right to terminate this Agreement at any time that it appears in the reasonable judgment of the District that the SRO is displaying inappropriate conduct that negatively affects or distracts from the teaching environment. In such an event, the District shall direct the SRO to return to his/her TPD station and shall immediately contact the SRO's superior officer and/or another person designated by the City by telephone or fax to describe the situation and the District's concern. The City, then, shall have seventy-two (72) hours to correct the problem or to schedule a meeting with the District to attempt to resolve the issue. If the issue cannot be resolved, the District and the City agree:

- i. The City shall supply the District with another certified police officer, who is trained as an SRO and shall meet the requirements of Paragraph 2, to replace the SRO, or
- ii. The City and the District may mutually agree that the School will no longer have an SRO for the remainder of the school year, nor will the District be required to pay for the unfulfilled portion of the SRO's work (although District is required to pay for any work already performed by the SRO), or
- iii. District may terminate the Agreement.

The District shall not be required to pay for the SRO's services during any time the SRO is reassigned to the TPD pending resolution of an issue concerning

inappropriate conduct.

- h. Cancellation. This Agreement may be cancelled pursuant to A.R.S. § 38-511.
- i. Dispute Resolution Process. The Parties agree that they shall use all reasonable efforts to resolve any dispute or claim through good faith negotiations. If the Parties are unable to resolve the dispute or claim through negotiations, upon written request of either party, the City's Police Chief or designee, and the School Principal or designee, will attempt to resolve the matter with ten (10) days of the date of the written request that referred the matter to them. If the matter is not resolved, the matter shall be immediately referred to the City Manager or designee and the District Superintendent or designee. If the matter is still not resolved within ten (10) days, the Parties may terminate this Agreement pursuant to Paragraph 1.g of this Agreement.
- j. Entire Agreement. This Agreement comprises the entire agreement of the Parties and supersedes any other agreements or understandings, oral and written, whether previous to the execution of this Agreement or contemporaneous herewith. Any amendments or modifications to this Agreement shall be made only in writing and signed by the Parties to this Agreement.
- k. Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Arizona.
- l. Workers' Compensation. Any employee of either Party shall be deemed to be an "employee" of both public agencies while performing pursuant to this Agreement solely for the purposes of A.R.S. § 23-1022 and the Arizona Workers' Compensation laws. The primary employer shall be solely liable for any workers' compensation benefits that may accrue. Each Party shall post a notice pursuant to the provisions of A.R.S. § 23-1022 in substantially the following form:

"All employees are hereby further notified that they may be required to work under the jurisdiction or control or within the jurisdictional boundaries of another public agency pursuant to an intergovernmental agreement or contract, and under such circumstances they are deemed by the laws of Arizona to be employees of both public agencies for the purposes of worker's compensation."
- m. FERPA Compliance. The Parties will ensure that the dissemination and disposition of educational records complies at all times with the Family Educational Rights and Privacy Act of 1974 and any subsequent amendments thereto.
- n. Non-Discrimination. The Parties agree to comply with all state and federal law and regulations, including the Americans with Disabilities Act and Executive Orders 99-4 and 2009-09, which are incorporated herein by reference, mandating non-discrimination and requiring that all persons, regardless of age, religion, sex, race, national origin, or political affiliation shall have equal access

to employment opportunity.

- o. Property Disposition. The Parties do not anticipate having to dispose of any property upon partial or complete termination of this Agreement. However, to the extent that such disposition is necessary, property shall be returned to its original owner.
- p. E-Verify. The Parties acknowledge that immigration laws require them to register and participate with the E-Verify program (employment verification program administered by the United States Department of Homeland Security and the Social Security Administration or any successor program) as they both employ one or more employees in this state. The Parties warrant that they have registered with and participate with E-Verify. If either Party later determines that the other non-compliant Party has not complied with E-Verify, it will notify the non-compliant Party by certified mail of the determination and the right to appeal the determination.

To the extent applicable under A.R.S. § 41-4401, the Parties and their subcontractors warrant compliance with all federal immigration laws and regulations that relate to their employees and compliance with the E-verify requirements under A.R.S. § 23-214(A). The Parties also agree that any violation of this requirement shall be deemed a material breach of the contract that is subject to penalties up to and including termination of this Agreement. The Parties acknowledge that the other party retains the legal right to inspect the papers of the other Party's contractor and subcontractor employees that work on this Agreement to verify such compliance.

- q. Fingerprinting Requirements. The City represents and warrants that it will ensure that each officer assigned to perform services on district property pursuant to this Agreement will be fingerprinted and successfully complete a background check performed by the City before such assignment.
- r. Severability and Savings. If any part of this Agreement is held to be invalid or unenforceable, such holding will not affect the validity or enforceability of any other part of this Agreement so long as the remainder of the Agreement is reasonably capable of completion without inequity to the Parties.
- s. Notices. All notices relating to this Agreement shall be deemed given when mailed, by certified or registered mail, or overnight courier, to the other Party at the address set forth below or such other addresses as may be given in writing from time to time:

If to CITY:

City of Tolleson
9055 West Van Buren Street
Tolleson, Arizona 85353
Attn: Crystal Zamora, City Clerk

With a copy to:

Pierce Coleman, PLC
7730 East Greenway Rd., Suite 105
Scottsdale, Arizona 85260

Attn: Justin S. Pierce, City Attorney

If to DISTRICT: Tolleson Union High School District No. 214
Attn: Rosalva Lagunas
9801 West Van Buren Street
Tolleson, Arizona 85353

With a copy to: Udall Shumway, PLC
Attn: Jessica S. Sanchez
1138 N. Alma School Road, Ste.
101 Mesa, Arizona 85201

- t. Time References. All references to “days” within this Agreement mean calendar days, and not business days.
- u. School Safety Program Manual. Both parties to the Agreement accept the guidelines as set out in the School Safety Program Manual, which is attached as Exhibit A to this Agreement.
- v. Manner of Financing. The parties will fund their respective obligations under this agreement through their respective M&O budgets and available funds.

2. Obligations of the City:

- a. During the School Year, the City shall provide SRO Services to the District at TUHS on an hourly basis, as required by the Principal, but not to exceed forty (40) hours per week.
- b. The City agrees to involve the District, including TUHS and UHS personnel, in the selection process for assigning an officer to the SRO position if the currently assigned officer must be replaced. This process will include allowing a TUH/UHS administrator to be on the final selection committee once TPD has identified final candidates for the position. The City agrees that it will select an officer for the SRO position who demonstrates a commitment to the goals of the district.
- c. The City will invoice the District for payment of the SRO’s services on a monthly basis. The City shall be responsible for any and all SRO costs in excess of \$132,400.00 incurred during the 2023-2024 fiscal year. According to its own policies, practices, and obligations, the City shall be responsible to pay any SRO Costs incurred while school is not in session and for any personal vacations or sick leave taken by the SRO during times that school is in session. The City shall pay all SRO costs during the one-month summer vacation and any other times that school is not in session and the City assigns the SRO to City related duties.

City shall be responsible to pay any and all SRO costs attributable City and non-school police business, including but not limited to City-mandated trainings, City-mandated meetings, non-school emergencies, investigations and other matters. District shall reimburse the City for SRO costs attributable to SRO-

related training and other activity(ies) mandated by the School Safety Program (“SSP”) Grant.

The City recognizes, understands and agrees that the District is not permitted to use SSP grant funds to pay any part of the SRO’s overtime costs. Accordingly, the City shall be responsible for all SRO overtime costs incurred during the 2023-2024 fiscal year. The SRO must obtain approval from the TPD before working on any school-related overtime.

- d. During the days the School is not in session, the police officer assigned as a SRO shall perform his/her regular police duties at a station as determined by the Chief of Police or his/her designee. The City agrees that it is responsible for 100% of the SRO’s salary and expenses when the SRO is assigned to work at another location during times the School is not in session.
- e. The SRO(s) performing SRO Services shall fulfill their duties as sworn law enforcement officers for the State of Arizona. Absent an emergency, the SRO shall not be called away from TUHS/UHS. If the SRO is called away on police business, including but not limited to City-mandated training, City-mandated meetings, City- related emergencies, etc., the District shall not be invoiced for that time and the costs shall be borne by the City.
- f. The City shall, within ten (10) business days of a request by the District, provide verification to the District of the SRO’s successful criminal records check, e.g., a copy of current fingerprint clearance card, copy of criminal records report, etc.
- g. To the extent permitted by law, City specifically agrees that it shall indemnify the District, for costs, including, but not limited to, actual damages, compensatory damages, punitive damages, and any related attorneys’ fees and costs that arise from an SRO’s use of physical force on students or the interviewing and searching of students where the SRO is acting outside of or in excess of the District’s rules and policies related to use of physical force or interviewing and searching students.
- h. The SRO assigned to TUHS/UHS shall:
 - i. Serve as a liaison between the School and TPD.
 - ii. Solicit and promote crime prevention and police/community relations in School and/or to other groups that have a potential impact on juvenile crime.
 - iii. Consult with students, parents, teachers, and School officials regarding problems and issues and will be knowledgeable of referral agencies in order to provide information to the requesting parties.
 - iv. Work with other unit members and School personnel and provide supervision in a positive, cooperative, and productive manner.
 - v. Enforce all applicable laws in a fair and consistent manner.
 - vi. Perform tasks or assignments as instructed by the TPD supervisor.
 - vii. Educate the students and School personnel by providing relevant and informative educational programs.

- viii. Be flexible in his/her work schedule to attend major events (without causing the SRO to incur overtime hours) as deemed appropriate by School administration.
- ix. Maintain a highly visible presence on and around campus.
- x. Be available for duty at TUHS/UHS each day that School is in session during the regular school year. Other than any TPD-related activities that the SRO may perform when not at the School, the SRO's activities will be restricted to TUHS except for:
 - 1. Follow-up home visits when needed as a result of School related student problems.
 - 2. Incentive programs approved by the Parties.
 - 3. In response to off-campus, but School related criminal activity.
 - 4. In response to emergency police activities.
 - 5. To attend mandatory TPD meetings.
 - 6. To attend mandatory TPD programs to maintain continuing proficiency standards to maintain police officer certification.
 - 7. To attend any scheduled court hearings, trials, or grand jury that requires the SRO's appearance.
- xi. City shall ensure that the SRO completes 180 hours of Law Related Education ("LRE"), which shall consist of 80 hours of classroom instruction to ongoing cohort groups of students, and at least 100 hours of universal instruction
- xii. The SRO shall maintain a weekly activity log that tracks: his/her LRE instruction hours; teacher and subject or staff/community group to which the instruction was directed; the topic of LRE lesson; and the time that the SRO spends off the assigned TUHS campus during duty hours.
- xiii. The SRO shall maintain a monthly recap of LRE activities, law enforcement activity, and time on campus and shall provide and present this recap to the campus principal.
- xiv. The SRO shall perform all activities and functions required of the SRO by the SSP Grant Program and shall cooperate with and assist the District with fulfilling any other SSP Grant Program reporting and requirements.

3. Obligations of the District:

- a. The District shall reimburse the City monthly for the services the City provides pursuant to its obligations identified in Paragraph 2 of this Agreement. Specifically, the District agrees, subject to the provisions set out in subsections i and ii of this Paragraph, to pay the City an amount not to exceed \$132,400.00 from July 27, 2023 to June 30, 2024 (2023-2024 fiscal year) for TUHS SRO and to pay the City an amount not to exceed \$132,400.00 from July 27, 2023 to June 30, 2024 (2023-2024 fiscal year) for UHS SRO.
 - i. The District will not pay for SRO Services for any times that school is

not in session, nor for any personal vacations or sick leave taken by the SRO during times that school is in session.

- ii. The SRO's time worked at TUHS/UHS must be substantiated by timecards and approved by the Principal or his/her designee. The District and the City shall share equally the cost of the SRO's overtime worked on school-related investigations, with each Party paying 50% of the cost. The SRO must obtain approval from the TPD before working on any school-related overtime. Overtime payments shall not exceed, under any circumstance, twenty (20) hours annually. The City shall pay 100% of the SRO's costs during the one month summer vacation and any other times that school is not in session and the City assigns the SRO to City related duties. District shall reimburse the City for SRO costs attributable to SRO-related training and other activity(ies) mandated by the School Safety Program ("SSP") Grant. The District shall only pay/reimburse travel-related expenses for SRO-related training if and to the extent expressly provided for in the SSP Grant. The District shall provide for classroom instructional supplies for the SRO if and to the extent expressly provided for in the SSP Grant.
 - iii. The District shall pay invoices from the City within fifteen (15) days of receipt, so long as proper documentation is on file to support the invoiced amount.
 - iv. The District shall complete an SRO performance assessment twice during the school year. The SRO shall assist the District with the preparation of the assessment based on the requirements of the Arizona Department of Education and the District. The District will share the performance assessment with the SRO's TPD supervisor.
 - v. The District shall provide the SRO with a copy of the School Safety Program grant application and award when SRO begins service at TUHS and UHS.
- b. The District shall provide office space that provides privacy for the SRO to conduct confidential business. The office shall include the necessary equipment for the SRO to effectively perform his/her duties.
 - d. No District or TUHS/UHS administrator shall interfere with the sworn law enforcement duties of a TPD officer. It is agreed, however, that at such times as the SRO is acting within the role of a sworn law enforcement officer but is also acting outside of or in excess of District rules and policies regarding interviewing and searching students and/or the use of appropriate physical force on students, the City shall hold the District harmless from such actions by the SRO. The SRO shall not be responsible for assistance in administrative discipline, unless a definitive danger is perceived by school staff or the student is suspected of breaking a criminal law.

IN WITNESS WHEREOF, the City and the District have executed this Agreement as of the date of the last signature set forth below.

**CITY OF TOLLESON, an Arizona
municipal corporation**

Reyes Medrano, Jr. City Manager

Date

ATTEST:

Crystal Zamora, City Clerk

**TOLLESON UNION HIGH SCHOOL DISTRICT
NO. 214**

By: _____
Superintendent
Tolleson Union High School District
No. 214

Date

In accordance with the requirements of A.R.S. § 11-952(D), the undersigned attorneys acknowledge that (i) they have reviewed the above Agreement on behalf of their respective clients and that (ii) as to their respective clients only, each attorney has determined that this Agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona.

Justin Pierce, Attorney for the City



Jessica Sanchez, Attorney for the District

EXHIBIT A
TO
INTERGOVERNMENTAL AGREEMENT
BETWEEN
TOLLESON UNION HIGH SCHOOL DISTRICT NO.
214
AND
THE CITY OF TOLLESON
FOR SCHOOL RESOURCES OFFICER SERVICES

[School Safety Program Manual on File with the District]



CITY COUNCIL REPORT

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| <p>Meeting Date: June 27, 2023</p> <p>Action Item: f.</p> <p><input checked="" type="checkbox"/> Consent <input type="checkbox"/> Work Study <input type="checkbox"/> Regular <input type="checkbox"/> E-Session <input type="checkbox"/> Business from the Floor</p> | <p>Type of Action:</p> <p><input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Other</p> <p>Notice of Intent</p> | <p>Subject:</p> <p>Adopt Notice of Intent to enter into a Development Agreement with Vanguard Truck Holdings, LLC for the reimbursement of public improvements.</p> |
| <p>Budget Impact:</p> <p>Expense <input type="checkbox"/> Revenue <input type="checkbox"/></p> <p>\$</p> <p>Budgeted <input type="checkbox"/> Contingency <input type="checkbox"/> Grant <input type="checkbox"/> Other <input checked="" type="checkbox"/></p> | <p>Department: Development Services</p> <p>Action Recommended by: Jason Earp, Development Services Director</p> | |
| <p>Reviewed by Reyes Medrano Jr., City Manager <input checked="" type="checkbox"/></p> <p>Purpose: The Development Services Department is requesting the adoption of a Notice of Intent to enter into a Development Agreement with Vanguard Truck Holdings, LLC for the reimbursement of public improvements.</p> <p>Background/Discussion: In accordance with A.R.S. § 9-500.11.K, the Tolleson City Council would need to adopt this Notice of Intent in order for the City of Tolleson to enter into an Economic Incentive Development Agreement at least 14 days prior to the approval of the Agreement. The Development Agreement between the City of Tolleson and Vanguard Truck Holdings, LLC, is scheduled to appear before City Council for consideration on Tuesday, July 11, 2023.</p> <p>Recommendation: Staff recommends the City Council adopt this Notice of Intent to enter into an Economic Incentive Development Agreement by and between the City of Tolleson and Vanguard Truck Holdings, LLC.</p> | | |

**NOTICE OF INTENT TO ENTER INTO ECONOMIC INCENTIVE
DEVELOPMENT AGREEMENT**

In accordance with A.R.S. §9.500.11. K, the City of Tolleson City Council adopts this Notice of Intent to enter to into an Economic Incentive Development Agreement by and between the CITY OF TOLLESON, Arizona, an Arizona municipal corporation and VANGUARD TRUCK HOLDINGS, LLC, a Delaware limited liability company at the City Council's regularly scheduled meeting of July 11, 2023.



CITY COUNCIL REPORT

| | | |
|--|--|---|
| <p>Meeting Date: June 27, 2023</p> <p>Action Item: g.</p> <p><input checked="" type="checkbox"/> Consent <input type="checkbox"/> Work Study <input type="checkbox"/> Regular <input type="checkbox"/> E-Session <input type="checkbox"/> Business from the Floor</p> | <p>Type of Action:</p> <p><input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Other</p> <p>Replat</p> | <p>Subject:</p> <p>Approve Replat Application #23050003 for a replat located at the southeast corner of 99th Avenue and Van Buren Street in Tolleson, AZ.</p> |
| <p>Budget Impact:</p> <p>Expense <input type="checkbox"/> Revenue <input type="checkbox"/></p> <p>\$</p> <p>Budgeted <input type="checkbox"/> Contingency <input type="checkbox"/> Grant <input type="checkbox"/> Other <input checked="" type="checkbox"/></p> | <p>Department: Development Services</p> <p>Action Recommended by: Jason Earp, Director</p> | |
| <p>Reviewed by Reyes Medrano Jr., City Manager <input checked="" type="checkbox"/></p> <p>Purpose: Consideration of Replat Application #23050003 as submitted by Bruce Heyse on behalf of the property owner, Tony Francis with Francis and Sons Express, for a replat located at the southeast corner of 99th Avenue and Van Buren Street in Tolleson, AZ to make accommodation for a new drive-thru retailer.</p> <p>Background/Discussion: A replat is a process used to add lots or otherwise change a recorded plat. The site, comprised of APNs 101-04-983, 101-04-975, and 101-04-977, is approximately 169,263 sq. ft. and zoned General Commercial (C-2). Previously, the City Council approved the Final Plat for El Paseo Retail at the Council Meeting held on January 25, 2022. A new retail drive-thru restaurant, Rally's, is locating to this property which requires that a replat be completed to accommodate and clearly define the correct property lines.</p> <p>Recommendation: Staff recommends the City Council approve Replat Application #23050003 for the El Paseo 99 Project. Please refer to the applicant's submittal for further information on this proposed replat.</p> | | |

DEDICATION

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

KNOW ALL MEN BY THESE PRESENTS

THAT SUKKAR VENTURES TOLLESON, LLC, AN ARIZONA LIMITED LIABILITY COMPANY AS OWNER, HAVE PLATTED UNDER THE NAME OF "REPLAT OF LOT 1, SEC 99TH AVE & VAN BUREN AND A PORTION OF LOTS 2 AND 4 OF EL PASO 99", LYING IN A PORTION OF THE NORTHWEST QUARTER OF 9, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN AND PLATTED HEREON, AND HEREBY PUBLISH THE "REPLAT OF LOT 1, SEC 99TH AVE & VAN BUREN AND A PORTION OF LOTS 2 AND 4 EL PASO 99", A COMMERCIAL SUBDIVISION, AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, STREETS, EASEMENTS, AND PUBLIC RIGHTS-OF-WAY, CONSTITUTING THE SAME AND THAT EACH LOT AND STREET SHALL BE KNOWN BY THE NUMBER OR NAME GIVEN TO EACH RESPECTIVELY ON SAID PLAT. SUKKAR VENTURES TOLLESON, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DEDICATES TO THE PUBLIC FOR USE AS SUCH THE PUBLIC RIGHTS-OF-WAY AND PUBLIC UTILITY EASEMENTS INCLUDED IN THE ABOVE DESCRIBED PREMISES.

EASEMENTS ARE DEDICATED AS SHOWN.

THE UNDERSIGNED SUKKAR VENTURES TOLLESON, LLC, AN ARIZONA LIMITED LIABILITY COMPANY AS OWNER, HAS HEREUNDER CAUSED ITS NAME TO BE SIGNED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF THE UNDERSIGNED SIGNER THEREUNTO AUTHORIZED THIS ____ DAY OF _____, 2023.

SUKKAR VENTURES TOLLESON, LLC, AN ARIZONA LIMITED LIABILITY COMPANY

BY: _____

NAME: _____

ITS: _____

ACKNOWLEDGEMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

KNOW ALL MEN BY THESE PRESENTS

ON THIS, THE ____ DAY OF _____, 2023, FARIS SUKKAR, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC WHO ACKNOWLEDGED HIMSELF/HERSELF TO BE FARIS SUKKAR, OWNER OF THE PROPERTY MAPPED HEREON.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

MY COMMISSION EXPIRES

APPROVALS:

APPROVED BY THE COUNCIL OF THE CITY OF TOLLESON, ARIZONA ON

THE ____ DAY OF _____, 2023.

APPROVED: _____ MAYOR _____ DATE _____

ATTEST: _____ CITY CLERK _____ DATE _____

APPROVED: _____ CITY MANAGER _____ DATE _____

APPROVED: _____ CITY ENGINEER _____ DATE _____

REPLAT
OF

"LOT 1, SEC 99TH AVE & VAN BUREN"
ACCORDING TO BOOK 1590 OF MAPS, PAGE 39, AND
"A PORTION OF LOTS 2 AND 4 OF EL PASO 99"
ACCORDING TO BOOK 1642 OF MAPS, PAGE 45,
RECORDS OF MARICOPA COUNTY, ARIZONA
LYING IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 9
TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE
GILA AND SALT RIVER BASE AND MERIDIAN
MARICOPA COUNTY, ARIZONA

LEGAL DESCRIPTION

LOTS 1 "SEC 99TH AVE & VAN BUREN"

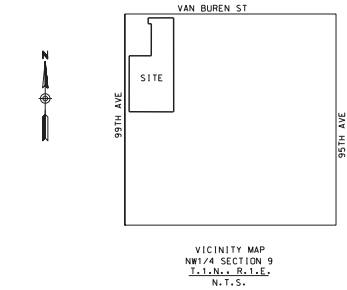
LOT 1, "SEC 99TH AVE & VAN BUREN", ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 1590 OF MAPS, PAGE 39.

LOTS 2 & 4 "EL PASO 99"

LOTS 2 AND 4, "EL PASO 99", ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 1642 OF MAPS, PAGE 45.

NOTES

- ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
- SHALL BE FURTHER UNDERSTOOD THAT THE CITY OF TOLLESON SHALL NOT BE REQUIRED TO REPAIR OR REPLACE ANY OBSTRUCTIONS, PAVING OR VEGETATION THAT BECOMES DAMAGED OR MUST BE REMOVED DURING THE COURSE OF REQUIRED CONSTRUCTION, RECONSTRUCTION, MAINTENANCE OR REPAIR.
- STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURED 10 FEET INTO THE PROPERTY AND 20 FEET ALONG THE RIGHT-OF-WAY ON EACH SIDE OF THE DRIVEWAYS ENTRANCES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 2 FEET.
- DEVELOPMENT AND USE OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES AND ORDINANCES.
- EACH LOT OWNER SHALL BE RESPONSIBLE FOR MAINTAINING THE EASEMENT AREAS LOCATED ON THEIR LOT.
- EACH LOT OWNER SHALL BE RESPONSIBLE FOR MAINTAINING THE DRAINAGE FACILITIES LOCATED ON THEIR LOT.
- AN 18" REBAR WITH U.S. CAP WILL BE SET AT ALL BOUNDARY CORNERS, LOT CORNERS, POINT OF CURVATURE, POINT OF TANGENCY, AND ANGLE POINTS AT COMPLETION OF MASS GRADING.
- THE CITY OF TOLLESON IS NOT DESIGNATED AS AN ASSURED WATER PROVIDER PURSUANT TO A.R.S. 45-576.
- NO STRUCTURE OR VEGETATION OF ANY KIND THAT WOULD IMPEDED THE FLOW OF WATER THROUGH THE EASEMENT MAY BE CONSTRUCTED, PLANTED OR ALLOWED TO GROW WITHIN DRAINAGE LIMITS.
- THE MAINTENANCE OF LANDSCAPING WITH THE PUBLIC RIGHT-OF-WAY TO THE BACK OF THE CURB SHALL BE THE RESPONSIBILITY OF THE ABUTTING PROPERTY OWNER.
- EACH LOT SHALL BE RESPONSIBLE FOR RETAINING STORMWATER RUNOFF PER THE CITY OF TOLLESON REQUIREMENTS FOR THEIR 1/2 STREET FRONTAGES IN ADDITION TO THE LOT ITSELF.
- ONLY GROUND COVER AND BUSHES ARE ALLOWED TO BE PLANTED WITHIN THE EXISTING EASEMENT, NO TREES ARE ALLOWED.
- ACCESS EASEMENT SHALL REMAIN UNOBSTRUCTED FOR CITY ACCESS, NO CONSTRUCTION OR PLANTING ARE PERMITTED.
- EACH LOT SHALL BE RESPONSIBLE FOR RETAINING THE STORM-WATER RUNOFF PER CITY OF TOLLESON REQUIREMENTS FOR THEIR 1/2 STREET FRONTAGES IN ADDITION TO THE LOT ITSELF.



BENCHMARK

CITY OF TOLLESON BENCHMARK BM NO. 7
SVC 99TH AVE AND VAN BUREN
FOUND BRASS CAP ON TOP OF CURB
AT SOUTH SIDE OF CURB RETURN
STAMPED "CITY OF TOLLESON
BENCHMARK NO. 7 2018"
EL=1010.21 NAVD83 DATUM

BASIS OF BEARINGS

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA
S 00° 05' 49" W

ZONING

C-2 (GENERAL COMMERCIAL-2 DISTRICT)
CITY OF TOLLESON

REFERENCE DOCUMENTS

COMMITMENT FOR TITLE INSURANCE
FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT NO. 3267142
ALTA/ACSM LAND TITLE SURVEY
NORTHWEST LAND SURVEY CONSULTANTS
NOT RECORDED.

FINAL PLAT "SEC 99TH AVE & VAN BUREN"
BOOK 1590 OF MAPS, PAGE 39
FINAL PLAT "EL PASO 99"
BOOK 1642 OF MAPS, PAGE 45

FEMA FLOOD ZONE DELINEATION

THIS PROJECT LIES WITHIN ZONE "X" AS DEPICTED ON FLOOD INSURANCE RATE (FIRM) MAP NUMBER 0413C2160L, REVISED OCTOBER 16, 2013, FLOOD ZONE "X" IS CLASSIFIED AS:

"AREA OF 500-YEAR FLOOD; AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD."

Certification

I, Bruce R. Heyse, hereby certify that this survey was performed on the ground under my supervision during the month of March, 2023 and that all corners were found or set as shown hereon, and that there are no encroachments or improvements onto contiguous property nor any encroachments from adjoining property onto the subject property other than those shown hereon. I hereby certify this subdivision conforms to all regulations and requirements of the subdivision regulations of the City of Tolleson and that this survey meets the MINIMUM STANDARDS FOR ARIZONA LAND BOUNDARY SURVEYS.

Bruce R. Heyse L.S.#29349 Date _____

BRH Surveying, L.L.C.

BRUCE R. HEYSE, R.L.S.
LAND SURVEYING
1915 E. VELVET DRIVE
TOLLESON, ARIZONA 85284
602-208-0963
BHEYES6565@GMAIL.COM

REPLAT

"LOT 1 SEC 99TH AVE & VAN BUREN"
AND
"LOTS 2 AND 4 OF EL PASO 99"

NOTES:

PROJ#: 381-01

DATE: MAY 30, 2023

SCALE: 1" = 100'

DRAWN: BRH

SHEET: 1 OF 2

REPLAT

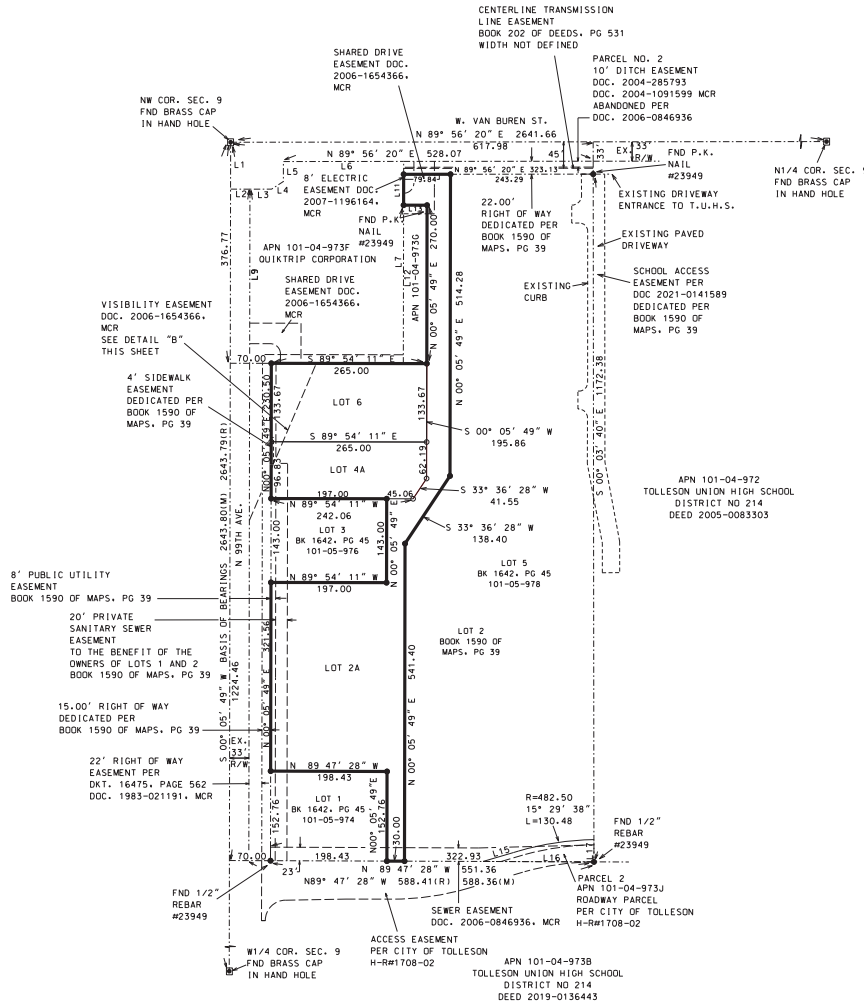
OF

"LOT 1, SEC 99TH AVE & VAN BUREN"
 ACCORDING TO BOOK 1590 OF MAPS, PAGE 39, AND
 "A PORTION OF LOTS 2 AND 4 OF EL PASEO 99"
 ACCORDING TO BOOK 1642 OF MAPS, PAGE 45.
 RECORDS OF MARICOPA COUNTY, ARIZONA
 LYING IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 9
 TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE
 GILA AND SALT RIVER BASE AND MERIDIAN
 MARICOPA COUNTY, ARIZONA

| LINE TABLE | | |
|------------|-----------------|----------|
| LINE | BEARING | DISTANCE |
| 1 | S 00° 54' 11" E | 79.71 |
| 2 | S 89° 54' 11" E | 33.00 |
| 3 | N 89° 56' 20" E | 37.00 |
| 4 | N 56° 57' 43" E | 23.88 |
| 5 | N 00° 05' 49" E | 34.00 |
| 6 | N 89° 56' 20" E | 205.00 |
| 7 | S 00° 05' 49" W | 344.61 |
| 8 | N 89° 54' 20" W | 262.00 |
| 9 | N 00° 05' 49" E | 296.86 |
| 10 | S 89° 54' 11" E | 33.00 |
| 11 | N 00° 05' 49" E | 52.59 |
| 12 | N 00° 05' 49" E | 270.00 |
| 13 | N 89° 54' 11" W | 40.00 |
| 14 | N 89° 56' 20" E | 323.13 |
| 15 | S 73° 37' 32" W | 62.89 |
| 16 | N 89° 47' 28" W | 188.99 |
| 17 | S 00° 03' 40" E | 37.93 |
| 18 | N 89° 54' 11" W | 40.00 |

| LEGEND | |
|----------------------|--------------------------------|
| ⊙ | - CALCULATED POINT |
| ○ | - SET 1/2" REBAR W/CAP '23949' |
| ● | - FND 1/2" REBAR #23949 |
| OR MONUMENT AS NOTED | |
| ⊠ | - FOUND BRASS CAP IN HAND HOLE |
| (R) | - RECORD DIMENSION |
| (M) | - MEASURED DIMENSION |
| --- | - SUBDIVISION BOUNDARY LINE |
| --- | - CENTERLINE |
| --- | - EASEMENT LINE |
| R/W | - RIGHT OF WAY |
| MCR | - MARICOPA COUNTY RECORDER |
| P.U.E. | - PUBLIC UTILITY EASEMENT |

| LOT TABLE | | |
|-----------|---------|--------|
| LOT NO. | SQ.FT. | ACRES |
| 2A | 108,579 | 2.4926 |
| 4A | 25,262 | 0.5799 |
| 6 | 35,422 | 0.8132 |
| TOTAL | 169,263 | 3.8857 |



BRH Surveying, L.L.C.

BRUCE R. HEYSE, R.L.S.
 LAND SURVEYING
 1915 E. VELVET DRIVE
 PHOENIX, ARIZONA 85284
 602-208-0963
 BHE@SEASURVING.COM

REPLAT

"LOT 1 SEC 99TH AVE & VAN BUREN"
 AND
 "LOTS 2 AND 4 OF EL PASEO 99"

NOTES:

PROJ#: 381-01
 DATE: MAY 30, 2023
 SCALE: 1" = 100'
 DRAWN: BRH
 SHEET: 2 OF 2



CITY COUNCIL REPORT

Meeting Date:

June 27, 2023

Action Item:

1.

☐ Consent ☐ Work Study

☒ Regular ☐ E-Session

☐ Business from the Floor

Type of Action:

☒ Resolution

☐ Ordinance

☐ Other

Property Tax Levy

Subject:

Adopt/Deny Resolution No. 2531
levying upon the assessed
valuation of property within the
City of Tolleson an annual tax
levy for municipal expenses.

Budget Impact:

Expense ☐ Revenue ☒

\$ 7,792,540

Budgeted ☐ Contingency ☐

Grant ☐ Other ☐

Department:

Finance

Action Recommended by:

Kevin Artz, Chief Financial Officer

Reviewed by Reyes Medrano Jr., City Manager ☒

Purpose: Consideration of Resolution 2531 for the adoption of a property tax levy for the City of Tolleson.

Background/Discussion: Arizona Revised Statutes §42-17151 and §42-7153 requires the governing body of each political subdivision to adopt an annual tax levy upon the property subject to taxation. The Resolution proposes a primary tax rate of \$1.5724 and a secondary tax rate of \$1.1072 for a combined tax rate of \$2.6796. The combined tax rate did not increase from the prior fiscal year (FY 2023).

The Primary tax levy is used for general municipal expenses. The Secondary levy must be used to pay debt service on General Obligation bonds. The City was able to maintain a level tax rate, while issuing \$21M of bonds to provide the community with a first class aquatic center, in the near future.

Recommendation: Staff recommends Council adopt Resolution No. 2531 of the Mayor and Council of the City of Tolleson, Arizona, levying upon the assessed valuation of property within the City of Tolleson, subject to taxation, a certain sum to provide funds for general municipal expenses, all for the Fiscal Year ending June 30, 2024.

RESOLUTION NO. 2531

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF TOLLESON, ARIZONA, LEVYING UPON THE ASSESSED VALUATION OF PROPERTY WITHIN THE CITY OF TOLLESON, SUBJECT TO TAXATION, A CERTAIN SUM TO PROVIDE FUNDS FOR GENERAL MUNICIPAL EXPENSES, ALL FOR THE FISCAL YEAR ENDING JUNE 30, 2024.

WHEREAS, the Council of the City of Tolleson ("City Council") is required by ARIZ. REV. STAT. §§ 42-17151 and 42-17253 to adopt an annual tax levy upon the property within the City of Tolleson, Arizona (the "City") subject to taxation; and

WHEREAS, by the provisions of State Law, the resolution levying taxes for Fiscal Year 2024 is required to be finally adopted on or before the third Monday in August and not less than 14 days after adoption of the municipal budget; and

WHEREAS, the City's annual budget was adopted by Resolution No. 2530 at a meeting of the City Council held on June 13, 2023, at least 14 days prior to the adoption of this Resolution No. 2531; and

WHEREAS, Maricopa County is the assessing and collecting authority for the City.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TOLLESON, ARIZONA, as follows:

Section 1. The recitals above are hereby incorporated as if fully set forth herein.

Section 2. There is hereby levied on the assessed value of all property, both real and personal, within the corporate limits of the City, except such property as may be by law exempt from taxation, a primary property tax levy allowed by law for the fiscal year ending June 30, 2024 of \$4,572,690 and a secondary property tax of \$3,219,850 for the fiscal year ending on June 30, 2024. If such primary property tax levy exceeds the maximum levy allowed by law, the Board of Supervisors of the County of Maricopa is hereby authorized to reduce the levy to the maximum amount allowed by law after providing notice to the City. The City estimates the primary property tax rate to be 1.5724 and the secondary tax rate to be 1.1072 per one hundred dollars (\$100.00) of assessed value of all taxable property.

Section 3. Failure by the County Officials of Maricopa County, Arizona, to properly return the delinquent list, any irregularity in assessments or omissions in the same, or any irregularity in any proceedings shall not invalidate such proceedings or invalidate any title conveyed by any tax deed; failure or neglect of any officer or officers to timely perform any of the duties assigned to him or to them shall not invalidate any of the proceedings or any deed or sale pursuant thereto, the validity of the assessment or levy of taxes or of the judgment of sale by which the

collection of the same may be enforced shall not affect the lien of the City of Tolleson upon such property for the delinquent taxes unpaid thereon; over charge as to part of the taxes or of costs shall not invalidate any proceedings for the collection of taxes or the foreclosure of any lien therefore or a sale of property under such foreclosure; and all acts of officers de facto shall be valid as if performed by officers de jure.

Section 4. All Ordinances or Resolutions, or parts of Ordinances or Resolutions in conflict herewith are hereby repealed.

Section 5. This Resolution shall be in full force and effect from and after its passage by the Council and approval by the Mayor.

Section 6. The City Clerk is hereby authorized and directed to transmit a certified copy of this Resolution to the Maricopa County Assessor and the Maricopa Board of Supervisors.

Section 7. If any provision of this Resolution is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct, and independent of all other provisions and such holding shall not affect the validity of the remaining portions of this Resolution.

PASSED AND ADOPTED by the Mayor and Council of the City of Tolleson, Arizona, on this 27th day of June, 2023.

Juan F. Rodriguez, Mayor

ATTEST: _____
Crystal Zamora, City Clerk

APPROVED AS TO FORM: _____
Justin Pierce, City Attorney

CERTIFICATION

I hereby certify that the foregoing Resolution No. 2531 was duly passed and adopted by the Mayor and Council of the City of Tolleson, Arizona, at the Regular City Council Meeting held on June 27, 2023, that the vote thereon was ____ ayes, ____ nays, and that the Mayor and ____ Council Members were present thereat.

Crystal Zamora, City Clerk
City of Tolleson, Arizona

City of Tolleson
Tax levy and tax rate information
Fiscal year 2024

| | <u>2023</u> | <u>2024</u> |
|---|---------------------|---------------------|
| 1. Maximum allowable primary property tax levy. A.R.S. §42-17051(A) | \$ <u>4,398,457</u> | \$ <u>5,393,083</u> |
| 2. Amount received from primary property taxation in the current year in excess of the sum of that year's maximum allowable primary property tax levy. A.R.S. §42-17102(A)(18) | \$ _____ | |
| 3. Property tax levy amounts | | |
| A. Primary property taxes | \$ <u>4,398,457</u> | \$ <u>4,572,690</u> |
| Property tax judgment | | |
| B. Secondary property taxes | <u>3,017,000</u> | <u>3,219,850</u> |
| Property tax judgment | | |
| C. Total property tax levy amounts | \$ <u>7,415,457</u> | \$ <u>7,792,540</u> |
| 4. Property taxes collected* | | |
| A. Primary property taxes | | |
| (1) Current year's levy | \$ <u>4,310,490</u> | |
| (2) Prior years' levies | <u>20,000</u> | |
| (3) Total primary property taxes | \$ <u>4,330,490</u> | |
| B. Secondary property taxes | | |
| (1) Current year's levy | \$ <u>2,956,660</u> | |
| (2) Prior years' levies | | |
| (3) Total secondary property taxes | \$ <u>2,956,660</u> | |
| C. Total property taxes collected | \$ <u>7,287,150</u> | |
| 5. Property tax rates | | |
| A. City/Town tax rate | | |
| (1) Primary property tax rate | <u>1.5894</u> | <u>1.5724</u> |
| Property tax judgment | | |
| (2) Secondary property tax rate | <u>1.0902</u> | <u>1.1072</u> |
| Property tax judgment | | |
| (3) Total city/town tax rate | <u>2.6796</u> | <u>2.6796</u> |
| B. Special assessment district tax rates | | |
| Secondary property tax rates—As of the date the proposed budget was prepared, the city/town was operating <u>NO</u> special assessment districts for which secondary property taxes are levied. For information pertaining to these special assessment districts and their tax rates, please contact the city/town. | | |

* Includes actual property taxes collected as of the date the proposed budget was prepared, plus estimated property tax collections for the remainder of the fiscal year.